#### Memorandum

Date:

December 31, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Golden Gate Division

File No.:

30.370.13867

Subject:

COMMAND INSPECTION PROGRAM - CHAPTER 6, COMMAND

OVERTIME AND GRANT MANAGEMENT

During the months of November and December of 2009, each command within Golden Gate Division was inspected in accordance with the Command Inspection Program Manual, HPM 22.1, Chapter 6, Command Overtime and Grant Management. Three inspection teams were formed, who then inspected each command. The team members, their assigned commands and the command contacts are listed below:

Inspection Team	Command(s)	Contact
Lieutenant Jim Fonseca	San Jose	Captain Cathy Wayne
Sergeant Steve Perea	Hayward	Captain Mark Mulgrew
SSA Jenifer Manlutac	San Francisco	Captain Paul Fontana
	Dublin	Lieutenant L. Krolosky
	Castro Valley	Lieutenant L. Franklin
	Mission Grade CVEF	Lieutenant K. Pilon
	Nimitz CVEF	Lieutenant S. Latimer
	Oakland	Captain Don Morrell
Lieutenant Chris Childs	Redwood City	Captain Greg Hammond
Sergeant Mike Lehman	Cordelia CVEF	Lieutenant Mike Ferrell
SSA Dee Silva	Solano	Lieutenant Shon Harris
	Santa Rosa	Captain Kelly Young
	Contra Costa	Lieutenant Eliane Wallace
	Special Services	Lieutenant Ron Lum
	Marin	Captain Bob Morehen
	Napa	Captain Mark Rasmussen
Lieutenant Leslie Lazo SSA Jeri Tilson	Communications Center	Captain Greg Tracey

Safety, Service, and Security

Golden Gate Division Page 2 December 31, 2009

Following the guidelines set forth in HPM 22.1, Chapter 6, each command's overtime usage, grants management, Monthly Attendance Reports (MAR), Work Period Overtime Reconciliation Reports and CHP Form 90 systems were examined to assure compliance with Departmental policy. No discrepancies were noted during any of the command grant overtime inspections. Below is a synopsis of the inspection teams' findings for command overtime:

#### San Jose

Question #6: One overtime 415 identified as missing notes in the overtime section indicating RDO.

Question #13: 6 instances of a CTO leave balances rolling over to overtime, resulting in 38 hours

paid at overtime rate.

Question #14: 2 Instances of FLSA overages, which resulted in 8 hours paid at half time rate

Hayward

Question #14: 46 Instances of FLSA overages, which resulted in 241 hours paid at half time rate

San Francisco

Question #6: One non-reimbursable overtime 415 identified as missing notes.

Question #13: 9 instances of a CTO leave balances rolling over to overtime, resulting in 86.58 hours

paid at overtime rate.

Question #14: 22 Instances of FLSA overages, which resulted in 144 hours paid at half time rate

Dublin

Question #13: 2 instances of a CTO leave balances rolling over to overtime, resulting in 9.56 hours

paid at overtime rate.

Question #14: 29 Instances of FLSA overages, which resulted in 111 hours paid at half time rate

Castro Valley

Question #14: 6 Instances of FLSA overages, which resulted in 14.75 hours paid at half time rate

Mission Grade CVEF

No discrepancies were noted.

#### Golden Gate Division

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December 31, 2009

#### Nimitz CVEF

Question #13: 3 instances of a CTO leave balances rolling over to overtime, resulting in 24.63 hours

paid at overtime rate.

Question #14: 1 Instances of FLSA overages, which resulted in .18 hours paid at half time rate

#### Oakland

Question #13: 15 instances of a CTO leave balances rolling over to overtime, resulting in 165.17

hours paid at overtime rate.

Question #14: 185 Instances of FLSA overages, which resulted in 922 hours paid at half time rate

#### **Redwood City**

Question #12: One officer's CHP 415 with command overtime did not have the required notes.

Question #13: One instance of a CTO leave balance rolling over to overtime, resulting in 4.83 hours

paid at overtime rate.

Question #14: 69 Instances of FLSA overages, which resulted in 428.5 hours paid at half time rate

#### Cordelia CVEF

Question #13: 5 instances of a CTO leave balances rolling over to overtime, resulting in 56.65 hours

paid at overtime rate.

Question #14: 5 Instances of FLSA overages, which resulted in 9 hours paid at half time rate

#### Solano

Question #13: 5 instances of a CTO leave balances rolling over to overtime, resulting in 56.65 hours

paid at overtime rate.

Question #14: 5 Instances of FLSA overages, which resulted in 9 hours paid at half time rate

Question #17: The March 2009 MAR was signed by a member of the command staff

#### Santa Rosa

Question #13: 32 instances of a CTO leave balances rolling over to overtime, resulting in 190.2 hours

paid at overtime rate.

Question #14: 50 Instances of FLSA overages, which resulted in 323 hours paid at half time rate

#### **Special Services**

Question #13: 6 instances of a CTO leave balances rolling over to overtime, resulting in 17.93 hours

paid at overtime rate.

Question #14: 23 Instances of FLSA overages, which resulted in 196 hours paid at half time rate

Question #17: None of the MARs were signed by a member of the command staff

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Marin

Question #13: 15 instances of a CTO leave balances rolling over to overtime, resulting in 54.4 hours

paid at overtime rate.

Question #14: 43 Instances of FLSA overages, which resulted in 348 hours paid at half time rate

Question #17: Five MARs weren't signed by a member of the command staff

Napa

Question #13: 7 instances of a CTO leave balances rolling over to overtime, resulting in 15.82 hours

paid at overtime rate.

Question #14: 38 Instances of FLSA overages, which resulted in 312 hours paid at half time rate

Question #17: The March and May 2009 MARs weren't signed by a member of the command staff

Contra Costa

Question #13: 26 instances of a CTO leave balances rolling over to overtime, resulting in 142.25

hours paid at overtime rate.

Question #14: 43 Instances of FLSA overages, which resulted in 387.5 hours paid at half time rate

Question #17: The March and June 2009 MARs weren't signed by a member of the command staff

#### **Communications Center**

No discrepancies were noted.

Attached are the Cover Memorandums, Exceptions Documents and Command Overtime and Grants Management Checklists for each command.

C.M. Childs
Lieutenant

Attachments

#### Memorandum

Date:

December 14, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Contra Costa Area

File No.:

320.10458.12919

Subject:

RESPONSE TO COMMAND GRANT MANAGEMENT AND COMMAND

**OVERTIME INSPECTION REPORT** 

This memorandum is intended to serve as the written response to the command grant management and command overtime inspection report of Contra Costa Area as required

#### FINDINGS REQUIRING FOLLOW-UP:

Finding 1 – Agree. During the prior 13 pay periods, there were 43 instances of 14 A negative for 387.5 hours paid at half time.

Finding 2 – Agree. During the prior 13 pay periods, there were 26 instances of (11) metages for 142.25 hours paid at overtime rate.

Finding 3 – Agree. During the prior 12 months, the March and June Monthly Attendance Reports were not signed by command personnel.

Questions regarding this response may be directed to Lieutenant Elaine Wallace vin + mail at ewallace@chp.ca.gov or by telephone at (925) 646-4980.

J. U. CAHOON, Captain

Commander

### COMMAND INSPECTION PROGRAM EXCEPTIONS DOCUMENT

Command: Contra Costa	Division: Golden Gate	Chapter:	
Inspected by: Lt. C.M. Childs,	#13867	Date: 12/1/09	

age 1 of 2

INSTRUCTIONS: This document shall be ty number of the inspection in the Chapter Ins shall be routed to and its due date. This do improvement, identified deficiencies, correct	pection number. Under "Forwa cument shall be utilized to doc	ard to:" enter the nex ument innovative pra	ctices, suggestions for statewide
TYPE OF INSPECTION  Division Level Command Level  Executive Office Level	Total hours expended inspection:  6.0	i on the	☐ Corrective Action Plan Included ☐ Attachments Included
Follow-up Required:	orward to: oue Date:		
Chapter Inspection: Inspector's Comments Regarding	ng Innovative Practices	THE HE AT THE	
The Contra Costa Area maintain detailed notes and tracking for ac	is an outstanding suspe		CHP Form 90s, including
Command Suggestions for Stat	tewide Improvement:		
Inspector's Findings:			

During Command Overtime Inspection, the following items were discovered:

- Finding #1 (question #13, Command Overtime): During the prior 13 pay periods, there were 26 instances of CTO overages for 142.25 hours paid at overtime rate
- Finding #2 (question #14, Command Overtime): During the prior 13 pay periods, there were 43 instances of FLSA overages for 387.5 hours paid at half time.
- Finding #3 (question #137 Command Overtime): During the prior 12 months, the March and June Monthly Attendance Reports were not signed by command personnel.

# **COMMAND INSPECTION PROGRAM EXCEPTIONS DOCUMENT**

uge 2 of 2

Command: Contra Costa	Division: Golden Gate	Chapter:	
Inspected by: Lt. C.M. Childs,	#13867	Date: 12/1/09	

19e 2 01 2		
-		
Commander's Response: ⊠ Concur or □	Do Not Concur (Do Not Concur shall d	ocument basis for response)
-		
Inspector's Comments: Shall address non co	oncurrence by commander (e.g., findings re	vised, findings unchanged,
etc.)		
Required Action	Water and the second second	
Corrective Action Plan/Timeline	See the a Complete Complete Arms	
The following is the corrective action plant		makaanar and
management to ascertain trends an	rrent overtime and CTO banks by Ti	текеерегани
	prior to approval to ensure it meets F	ELSA quidelines
Re-train Sergeants and Timekeepel	•	Lor ( galacimico.
	Sergeants to review and if appropria	ate mandate officers to
bring their hours down towards acco		
Sergeants shall check CTO banks p	•	
<ul> <li>Sergeants are responsible and accommodate</li> </ul>	ountable for officers on their shift tha	t accrue time in excess of
480 hours.		
Train timekeeper to notify management when the state of t		
and to ensure all Monthly Attendance Rep  Employee would like to discuss this report with	ofts are signed by Area managemen commander's signature	DATE
the reviewer.	CONSTRAINE	
(See HPM 9.1, Chapter 8 for appeal procedures.)	INSPECTOR'S SIGNATURE	DATE
	00 / 1 /	
	Cthin all	12/28/09 DATE
Reviewer discussed this report with employee	REVIEWER'S SIGNATURE	) )
Concur	12/1/2/11	1/12/2010

## )MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Command: Contra Costa	Division: Golden Gate Division	Number:
Evaluated by: Lt. C.M. Childs,	#13867	Date: 12/1/09
Assisted by: Sgt. M. Lehman	, D. Silva	Date: 12/1/09

INSTRUCTIONS: Answer individual items with "Yes" of applicable legal statues, or deficiencies noted in the installing discrepancies and/or deficiencies shall be documented. Furthermore, the Exceptions Document shall include as Inspection, the "Follow-up Inspection" box shall be man	spections shall b on an Exception ny follow-up and	e comment ns Docume Mor correcti	ted on via the int and addre ve action(s)	e "Remarks essed to the taken. If th	s" section.  A e next level o his form is us	dditionally, such of command.
		Lead Inspec	ctor's Signatur	e:	3 4 4	
TYPE OF INSPECTION			,			
☐ Division Level ☐ Command Le	vel	au	unand	2		
☐ Executive Office Level ☐ Voluntary Sel	f-Inspection					r = .
Follow-up Required:	Inspection	Commande	r's \$ignature:	$\sim$	ÿ	Date: 12/1/09
☐ Yes		Wan.	1/6	luc	fry	
For applicable policies, refer to HPM 11.1, Cl HPM 40.71, Chapters 2, 8, and 10, HPM 10.9 Chapter 2, and HPM 10.3, Chapters 24 and 2	5,					
Note: If a "No" or "N/A" box is checked, the "Rem		shall be ut	ilized for ex	planation		
<ol> <li>Is the hiring company/agency for reimbur overtime being held responsible for payin minimum of four hours of overtime per Cl uniformed employee, regardless of length service/detail?</li> </ol>	ig a HP	⊠ Yes	□ No	□ N/A	Remarks:	
2. Is a minimum of four hours overtime bein to each CHP uniformed employee(s) if canotification is made 24 hours or less prior scheduled detail and the assigned CHP cemployee(s) cannot be notified of such cemployee(s).	ncellation to the uniformed	⊠ Yes	□ No	□ N/A	Remarks:	
<ol> <li>Are reimbursable special project codes b for all overtime associated with reimbursa projects?</li> </ol>	eing used able special	⊠ Yes	□No	□ N/A	Remarks:	
Is the commander ensuring nonuniformer overtime hours are not reflected on the R Overtime Hours for Reimbursable Special Communications and the second communication in the second communication	Report of	⊠ Yes	□ No	□ N/A	Remarks:	
5. Is the commander ensuring non-reimburs overtime is not being claimed for an emp than Bargaining Unit 7, while on vacation compensated time off for hours worked d regular work shift time?	sable loyee, other or luring their	⊠ Yes	□ No	□ N/A	Remarks:	
6. Is "RDO" being written in the "Notes" sec CHP 415, Daly Field Record, for overtime a regular day off?		⊠ Yes	□ No	□ N/A	Remarks:	
7. Is there a CHP 90, Report of Court Appe Civil Action, completed for each officer of when overtime is associated for civil court	r sergeant	⊠Yes	□ No	□ N/A	Remarks:	2

### **)MMAND INSPECTION PROGRAM INSPECTION CHECKLIST**

Chapter 6 Command Overtime

8.	Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	⊠ Yes	□No	□ N/A	Remarks:
9.		⊠ Yes	□No	□ N/A	Remarks:
10	. Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	⊠ Yes	□No	□ N/A	Remarks:
11	If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	☐ Yes	□No	□ N/A	Remarks:
12	. Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	⊠ Yes	□ No	□ N/A	Remarks:
13	. Are employee's Compensated Time Off hours maintained within reasonable balances?	Yes	⊠ No	□ N/A	Remarks: Inspection revealed 26 instances for a total of 142.25 hours paid
14	. Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	⊠ No	□ N/A	Remarks: Inspection revealed 43 instances for a total of 387.5 hours paid at half time
15	Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	⊠ Yes	□No	□ N/A	Remarks:
16	Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	⊠ Yes	□ No	□ N/A	Remarks:
17	Are the MARs retained for at least three years and contain the commander's signature?	☐ Yes	⊠ No	□ N/A	Remarks: Both March and June 2009 MARs were unsigned by command personnel

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STATE OF CALIFORNIA
PEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Grant Management

Command: Contra Costa	Division: Golden Gate Division	Number:	
Evaluated by: Lt. C. M. Childs,	#13867	Date: 12/1/09	
Assisted by: Sgt. M. Lehman	, D. Silva	Date: 12/1/09	

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected. Lead Inspector's Signature: TYPE OF INSPECTION □ Division Level ☐ Command Level ☐ Executive Office Level ☐ Voluntary Self-Inspection Commander's Signature: Date: Follow-up Required: Follow-up Inspection 12/1/09 ⊠ No Yes For applicable policy, refer to: GO 40.6 e: If a "No" or "N/A" box is checked, the "Remarks" section shall be utilized for explanation. 1. If the commander became aware that another agency or organization is proposing or has submitted □ No □ N/A Remarks: a grant application to a funding agency other than the Office of Traffic Safety (OTS) that appears to focus on traffic safety goals clearly within the jurisdiction of the Department, did the commander notify the appropriate assistant commissioner? 2. Has OTS grant funding, through the Highway Safety Plan, been sought for traffic safety-related activities ☐ Yes ☐ No ⊠ N/A Remarks: Area has not for the purpose of conducting inventories, need and submitted any grant engineering studies, system development or program applications during this implementations? inspection period Has the command sought grant funding to assist with the expenses associated with the priority programs ☐ Yes ☐ No ⊠ N/A Remarks: Same as #2 identified by the National Highway Traffic Safety Administration? 4. Has the commander ensured grant funds are not being reallocated to fund other programs or used for ⊠ Yes □ No □ N/A Remarks: non-reimbursable overtime expenditures? Are concept papers regarding grant funding Remarks: Same as #2 submitted through channels to Grants Management ☐ Yes □ No ⊠ N/A Unit (GMU)? Was GMU contacted to determine the current personnel billing rates used for grant projects when ☐ Yes ☐ No ⊠ N/A Remarks: Same as #2

preparing concept paper budgets?

### )MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

	7. Is supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	☐ Yes	□ No	⊠ N/A	Remarks: Same as #2
	8. Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	☐ Yes	□ No	⊠ N/A	Remarks: Same as #2
	9. Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	☐ Yes	□ No	⊠ N/A	Remarks: Same as #2
	10. Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
	11. Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	⊠ Yes	□No	□ N/A	Remarks:
	12. Are all requirements of the grant agreement and MOU being met?	⊠ Yes	□No	□ N/A	Remarks:
	13. Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
	14. Does every invoice associated with a grant funded project contain the project number and name?	☐ Yes	□ No	⊠ N/A	Remarks: Same as #2
	15. Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
	16. Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	⊠ Yes	□ No	□ N/A	Remarks:
	<ul> <li>17. Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?  This would include any of the following: <ul> <li>Applications for federal funds which are not included in the budget approved by the Governor.</li> <li>Applications for federal funds which exceed</li> </ul> </li> </ul>	☐ Yes	□ No	⊠ N/A	Remarks: Applies to GMU
١	the amount specified in the hudget			1	

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STATE OF CALIFORNIA
PEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### )MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

10.	Federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□ No	⊠ N/A	Remarks: Applies to GMU
	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐Yes	□No	⊠ N/A	Remarks: Applies to GMU
20.	Are grant funds being used for their intended purpose?	⊠ Yes	□No	□ N/A	Remarks:
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□ No	⊠ N/A	Remarks: Applies to GMU
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
Questi	ons 23 through 26 pertain to the Grants Managemen	t Unit			
		t Unit ☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
23.	ons 23 through 26 pertain to the Grants Managemen Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway		□ No	⊠ N/A	Remarks: Applies to GMU  Remarks: Applies to GMU
23.	Ons 23 through 26 pertain to the Grants Management Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	☐ Yes			.,

#### Memorandum

Date:

December 21, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Napa Area

File No.:

325.12135

Subject:

RESPONSE TO DRAFT COMMAND OVERTIME AND GRANT

MANAGEMENT INSPECTION REPORT

This memorandum is intended to serve as the written response to the draft Command overtime and grant management inspection report of Napa Area as required.

#### FINDINGS REQUIRING FOLLOW-UP:

**Finding #1:** Agree. Area management and supervisors will re-double our efforts on a monthly basis to ensure balances are maintained at reasonable levels to avoid similar incidents in the future.

**Finding #2:** Agree. Area protocol has been modified to ensure all correctible 415s will be reversed during the correction period. Area management and sergeants will continue to monitor timekeeping records, schedules, and shift modifications in an effort to avoid employees incurring FLSA overtime in the future.

**Finding #3:** Agree. The two MARs have been reviewed and signed. Every effort will be made to ensure this oversight will not occur in the future.

Questions regarding this response may be directed to Captain Mark Rasmussen via e-mail at marasmussen@chp.ca.gov or by telephone at (707) 253-4906.

M. A. RASMUSSEN, Captain

Commander

### COMMAND INSPECTION PROGRAM

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Command:	Division:	Chapter:
Napa	Golden Gate	6
Inspected by:		Date: 12/17/09
Lt. C. Childs,	12/17/09	

number of the inspection in the Chapter shall be routed to and its due date. This	Inspection docume		r fill in the blanks as indicated. Enter the chapter next level of command where the document practices, suggestions for statewide be used if additional space is required.
TYPE OF INSPECTION		Total hours expended on the	Corrective Action Plan Included
X Division Level  Command L	.evel	inspection:	
Executive Office Level			Attachments Included
			ý.
Follow-up Required:	Forwa	rd to:	
☐ Yes <b>X</b> No	Due D	ate:	
Chapter Inspection:			
Inspector's Comments Regar	ding Ir	nnovative Practices:	
Command Suggestions for S	tatewic	le Improvement:	
J		•	
Inspector's Findings:			
During the inspection, the follo	wing c	liscrepancies were noted:	
Finding #1 (question #13, Con resulting in 15.82 hours paid.	nmand	Overtime): 7 instances of CTO	hours rolled over to paid overtime,
Finding #2 (question #14, Con paid at half time were noted.	nmand	Overtime): 38 Instances of FLS	SA overages resulting in 312 hours
Finding #3 (question #17, Conwere not signed by a member			/ 2009 Monthly Attendance Reports
Commander's Response: X	Concu	or 🗌 Do Not Concur (Do Not Con	ncur shall document basis for response)

<u>Finding #1:</u> **Agree.** Napa Area management routinely monitors the CTO balances of sergeants and officers. Employees with high balances who regularly accumulate CTO are directed to use an appropriate amount of CTO to preclude the conversion to paid overtime. Although the number of instances (7) and the hours paid (15.82) are relatively low, Area management and supervisors will redouble our efforts on a monthly basis to ensure balances are maintained at reasonable levels to avoid pilar incidents in the future.

## **COMMAND INSPECTION PROGRAM**FXCEPTIONS DOCUMENT

age 2 of 3

Command:	Division:	Chapter:	
Napa	Golden Gate	6	
Inspected by:	Date: 12/17/09		
Lt. C. Childs, #1	12/17/09		

<u>Finding #2:</u> **Agree.** Napa Area management critically reviews and approves all shift schedules, with the goal to prevent employees from incurring FLSA overtime. The Scheduling Sergeant utilizes Excel spreadsheets to track hours during FLSA periods when preparing monthly schedules. The shift spreadsheets have formulas to calculate the work hours for sergeants and officers during each FLSA period, so as not to exceed 170 hours. A thorough review of the identified discrepancies by Area management has revealed that modifications to approved schedules and/or late/improper data entries have inadvertently resulted in the FLSA overtime accrual.

It should be noted that subsequent to this Command Inspection, Napa Area's clerical supervisor reviewed the Monthly Activity Reports (MARs) and verified that a substantial amount of FLSA overtime was reversed, due to initial 415 data entry errors. Therefore, the actual instances (29) and total overtime hours (190.5) is less than originally identified during the inspection. A review of the remaining instances revealed that the majority of these were also 415 data entry errors which were not reversed during the four day correction period. As a result, Area protocol has been modified to ensure all correctible 415s will be reversed during the correction period.

Area management and sergeants will continue to monitor timekeeping records, schedules, and shift modifications in an effort to avoid employees incurring FLSA overtime in the future.

Finding #3: Agree. Two MARs were not signed by the Commander or his/her designee. Every effort be made to ensure this oversight will not occur in the future.

### **COMMAND INSPECTION PROGRAM EXCEPTIONS DOCUMENT**

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Command:	Division:	Chapter:
Napa	Golden Gate	6
Inspected by:	Date:	
Lt. C. Childs, #1	12/17/09	

Inspector's Comments: Shall address non c etc.)	oncurrence by commander (e.g., findings revised	, findings unchanged,
<u>-</u>		
Required Action	Managara Angara Sillang Angara Sillang Sillang Angara Sillang Angara Sillang Sillang Sillang Sillang Sillang S	
Corrective Action Plan/Timeline		
н		
9		
Employee would like to discuss this report with	COMMANDER'S SIGNATURE	DATE
the reviewer. (See HPM 9.1, Chapter 8 for appeal procedures.)	Mid Rasmum	12-21-09
	INSPECTOR'S SIGNATURE	DATE 12/17/2009
Reviewer discussed this report with	REVIEWSE'S SIGNATURE	DATE
employee	120 ()	1-15-16

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Command:	Division:	Number;
Napa	Golden Gate	325
Evaluated by:	Date:	
Lt. C. Childs, #1	12/17/2009	
Assisted by:	Date:	
Sgt. M. Lehman	12/17/2009	

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected. Lead Inspector's Signature: TYPE OF INSPECTION Division Level ☐ Command Level Carnytelle ☐ Executive Office Level ☐ Voluntary Self-Inspection Date: Follow-up Required: Commander's Signature: Follow-up Inspection 12/17/2009 Yes ⊠ No For applicable policies, refer to HPM 11.1, Chapter 6, HPM 40.71, Chapters 2, 8, and 10, HPM 10.5, Chapter 2, and HPM 10.3, Chapters 24 and 28. Note: If a "No" or "N/A" box is checked, the "Remarks" section shall be utilized for explanation. 1. Is the hiring company/agency for reimbursable Remarks: overtime being held responsible for paying a X Yes □ No □ N/A minimum of four hours of overtime per CHP uniformed employee, regardless of length of service/detail? Is a minimum of four hours overtime being allocated Remarks: to each CHP uniformed employee(s) if cancellation X Yes □ No □ N/A notification is made 24 hours or less prior to the scheduled detail and the assigned CHP uniformed employee(s) cannot be notified of such cancellation? Are reimbursable special project codes being used Remarks: for all overtime associated with reimbursable special X Yes ☐ No  $\square$  N/A projects? 4. Is the commander ensuring nonuniformed personnel Remarks: overtime hours are not reflected on the Report of ☐ No □ N/A Overtime Hours for Reimbursable Special Projects? Is the commander ensuring non-reimbursable Remarks: overtime is not being claimed for an employee, other □No □ N/A than Bargaining Unit 7, while on vacation or compensated time off for hours worked during their regular work shift time? 6. Is "RDO" being written in the "Notes" section of the Remarks: CHP 415, Daly Field Record, for overtime worked on X Yes ☐ No □ N/A a regular day off? Is there a CHP 90, Report of Court Appearance -Remarks: Civil Action, completed for each officer or sergeant ⊠ Yes No □ N/A when overtime is associated for civil court?

### DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	⊠ Yes	□No	□ N/A	Remarks:
9. Did the supervisor sign the CHP 415s approving the overtime?	⊠ Yes	□No	□ N/A	Remarks:
10. Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	⊠ Yes	□No	□ N/A	Remarks:
11. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	⊠ Yes	□No	□ N/A	Remarks:
12. Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	⊠ Yes	☐ No	□ N/A	Remarks:
13. Are employee's Compensated Time Off hours maintained within reasonable balances?	☐ Yes	⊠ No	□ N/A	Remarks: 7 Instances of CTO overages for 15.82 hours were noted
14. Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	⊠ No	□ N/A	Remarks: 38 Instances for 312 hours paid at half time were noted
15. Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	⊠ Yes	□No	□ N/A	Remarks:
16. Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	⊠ Yes	☐ No	□ N/A	Remarks:
17. Are the MARs retained for at least three years and contain the commander's signature?	⊠ Yes	□No	□ N/A	Remarks: The March and May 2009 MARs weren't signed by Area Management

Page

STATE OF CALIFORNIA
PEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Grant Management

Command:	Division:	Number:
Napa	apa Golden Gate	
Evaluated by:	Date:	
Lt. C. Childs, #1	12/17/2009	
Assisted by:	Date:	
Sgt. M. Lehman	12/17/2009	

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected. Lead Inspector's Signature: TYPE OF INSPECTION □ Division Level Command Level ☐ Executive Office Level □ Voluntary Self-Inspection Commander's Signature: Date: Follow-up Required: ☐ Follow-up Inspection 12/17/2009  $\bowtie$  No Yes For applicable policy, refer to: GO 40.6 .e: If a "No" or "N/A" box is checked, the "Remarks" section shall be utilized for explanation. 1. If the commander became aware that another agency or organization is proposing or has submitted X Yes ☐ No □ N/A Remarks: a grant application to a funding agency other than the Office of Traffic Safety (OTS) that appears to focus on traffic safety goals clearly within the jurisdiction of the Department, did the commander notify the appropriate assistant commissioner? Has OTS grant funding, through the Highway Safety Plan, been sought for traffic safety-related activities □ No  $\square$  N/A Remarks: for the purpose of conducting inventories, need and engineering studies, system development or program implementations? Has the command sought grant funding to assist with the expenses associated with the priority programs Yes ⊠ N/A ☐ No Remarks: Command has not identified by the National Highway Traffic Safety sought this type of funding Administration? Has the commander ensured grant funds are not being reallocated to fund other programs or used for Yes ☐ No □ N/A Remarks: non-reimbursable overtime expenditures? Are concept papers regarding grant funding submitted through channels to Grants Management ☐ No ☐ N/A Remarks: Unit (GMU)? Was GMU contacted to determine the current personnel billing rates used for grant projects when ⊠ Yes □No □ N/A Remarks: preparing concept paper budgets?

## DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

7. Is supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	⊠ Yes	□ No	□ N/A	Remarks:
8. Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	⊠ Yes	□No	□ N/A	Remarks:
9. Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	⊠ Yes	□No	□ N/A	Remarks:
10. Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	⊠ Yes	□No	□ N/A	Remarks:
11. Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	⊠ Yes	☐ No	□ N/A	Remarks:
12. Are all requirements of the grant agreement and MOU being met?		□No	□ N/A	Remarks:
13. Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	⊠ Yes	□No	□ N/A	Remarks:
14. Does every invoice associated with a grant funded project contain the project number and name?	⊠ Yes	□No	□ N/A	Remarks:
15. Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	⊠ Yes	□No	□ N/A	Remarks:
16. Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	⊠ Yes	□No	□ N/A	Remarks:
<ul> <li>17. Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?  This would include any of the following: <ul> <li>Applications for federal funds which are not included in the budget approved by the Governor.</li> <li>Applications for federal funds which exceed the amount specified in the budget.</li> </ul> </li> </ul>	☐ Yes	□No	⊠ N/A	Remarks: Does not apply to Napa Area's grant

## DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

18	Federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	□No	⊠ N/A	Remarks: Same as #18
	Are grant funds being used for their intended purpose?	⊠ Yes	☐ No	□ N/A	Remarks:
21	. Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks: Same as #18
22	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks: Same as #18
	submitted to the fulldlig agency:	L			
Quest	ions 23 through 26 pertain to the Grants Managemen	nt Unit	200.200.000		ALCOHOL TO A THE SHAD
		Tunit  Yes	☐ No	⊠ N/A	Remarks: Same as #18
23	ions 23 through 26 pertain to the Grants Managemen . Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway		□ No	⊠ N/A	Remarks: Same as #18  Remarks: Same as #18
23	ions 23 through 26 pertain to the Grants Managemen  Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	☐ Yes			

#### Memorandum

Date:

December 4, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Redwood City Area

File No.:

330.13156.13303.09-331

Subject:

RESPONSE TO CHAPTER 6 AUDIT OF GRANT MANAGEMENT AND

COMMAND OVERTIME

This memorandum is intended to serve as the written response to the Chapter 6 audit of grant management and command overtime as required.

#### FINDINGS REQUIRING FOLLOW-UP:

**Finding 1 – Agree.** The Redwood City Area will discuss the importance of having notes explaining overtime at the next staff meeting. The Redwood City Area will also provide on-going training to supervisors with regard to approving overtime. This will preclude the omission of notes on 415's from happening again in the future.

**Finding 2 – Agree.** The Redwood City Area attempts to stay on top of CTO issues especially when it comes to conversion of CTO to paid overtime. Nonetheless, this item will also be discussed and Monthly Leave Balance training will be provided to all sergeants. Consistent with the present MOU, those officers with maximum CTO may be asked to utilize 24 or more hours to give Area the flexibility to assign CTO as necessary.

Finding 3 – Agree. The Redwood City Area found that measures were not in place to preclude this from occurring. Effective immediately, the time keeper will ensure that prior to the cutoff all procedures are followed to prevent this from occurring. Additionally, sergeants will be trained and reminded of the importance of not changing days off or allowing seven hour days to moved unless under extreme circumstances.

Questions regarding this response may be directed to Captain G. T. Hammond at <a href="mailto:ghammond@chp.ca.gov">ghammond@chp.ca.gov</a> or by telephone at (650) 369-6261.

G. T. HAMMOND, Captain

Redwood City Area

### **COMMAND INSPECTION PROGRAM**

EXCEPTIONS DOCUMENT	
age 1 of 3	

Command:	Division:	Chapter:	
Redwood City	Golden Gate	6	
Inspected by:		Date:	
Lt. C. Childs, #	13867	11/17/09	

number of the inspection in the Chapter shall be routed to and its due date. This	Inspections docume	on number. Under "Forward to:" enter tent shall be utilized to document innova	y, or fill in the blanks as indicated. Enter the chapter the next level of command where the document tive practices, suggestions for statewide may be used if additional space is required.
TYPE OF INSPECTION  Division Level	evel	Total hours expended on the inspection:	□ Corrective Action Plan Included
□ Executive Office Level		7.0	☐ Attachments Included
Follow-up Required:	Forwa	rd to:	
□ Yes □ No	Due D	ate:	
Chapter Inspection:			
Inspector's Comments Regar	rding Ir	nnovative Practices:	
Command Suggestions for S .one.  Inspector's Findings:	tatewic	le Improvement:	
inspector's Findings.			
During the inspection, the follo	wing d	liscrepancies were noted:	
•		,	P 415 with command overtime did not aled no additional discrepencies.
Finding #2 (question #13, Con resulting in 4.83 hours paid	nmand	Overtime): 1 Instances of CT	O rolling over to paid overtime,
Finding #3 (question #14, Con	nmand	Overtime): 69 Instances of F	LSA overages resulting in 428.5 paid

Commander's Response: X Concur or Do Not Concur (Do Not Concur shall document basis for response)

### COMMAND INSPECTION PROGRAM EXCEPTIONS DOCUMENT

age 2 of 3

Command:	Division:	Chapter:	
Redwood City	Golden Gate	6	
Inspected by:		Date:	
Lt. C. Childs, #1	3867	11/17/09	

**Inspector's Comments:** Shall address non concurrence by commander (e.g., findings revised, findings unchanged, etc.)

### Required Action

Corrective Action Plan/Timeline

- Finding #1: (question #12, Command Overtime): One officer's CHP 415 with command overtime did not have the required notes. A subsequent 10 percent sampling revealed no additional discrepencies.
- Response: The Redwood City Area will discuss this at the next staff meeting and provide on-going training to supervisors with regard to approving overtime. This will preclude this from happening again in the future.
- Finding #2: (question #13, Command Overtime): 1 Instances of CTO rolling over to paid overtime, resulting in 4.83 hours paid.
- Response: The Redwood City Area attempts to stay on top of CTO issues especially when it comes to conversion of CTO to paid overtime. Nonetheless, this item will also be discussed and Monthly Leave Balance training will be provided to all sergeants.
- Finding #3: (question #14, Command Overtime): 69 Instances of FLSA overages resulting in 428.5 paid hours (at ½ time rate).
- Response: The Redwood City Area found that measures were not in place to preclude this from occurring. Effective immediately, the Time Keeper will ensure that prior to the cutoff all procedures are followed to prevent this from occurring again. Additionally, sergeants will be trained and reminded of the importance of not changing days off or allowing seven hour days to moved unless under extreme circumstances and with the approval of a manager.

# **COMMAND INSPECTION PROGRAM** FXCEPTIONS DOCUMENT

age 3 of 3

Command: Redwood City	Division: Golden Gate	Chapter:
Inspected by: Lt. C. Childs, #1		Date: 11/17/09

☐ Employee would like to discuss this report with the reviewer.  (See HPM 9.1, Chapter 8 for appeal procedures.)	COMMANDER'S SIGNATURE	DATE
	INSPECTOR'S SIGNATURE	DATE 11/19/2009
☐ Reviewer discussed this report with employee ☐ Do not concur	REVIEWER'S SIGNATURE	DATE 1-15-10

## OMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Command:	Division:	Number:
Redwood City	Golden Gate	366
Evaluated by:		Date:
Lt. C. Childs, #13867		11/17/2009
Assisted by:		Date:
Sgt. M. Lehman	, D. Silva	11/17/2009

applicable legal statues, o discrepancies and/or defic Furthermore, the Exceptio	r deficiencie iencies sha ns Docume	items with "Yes" or "No" answerses noted in the inspections shall ill be documented on an Exception int shall include any follow-up ar box shall be marked and only d	be commer ons Documend/or correct	nted on via to ent and add tive action(s	he "Remarl ressed to tl ) taken.  If t	ks" section. And ne next level this form is us	Additionally, such of command.
TVDE OF INODESTION			Lead Inspe	ctor's Signate	ure:		
TYPE OF INSPECTION							
Division Level		Command Level	m	0.	0.		
☐ Executive Office Leve	٦ اد	Voluntary Self-Inspection	(de	er's Signature			
Follow-up Requi		Totalitaly con inopositori	Commande	er's Signature	1		Date:
. onen ap resqui		☐ Follow-up Inspection	01	20/			11/17/2009
□ Yes 🗷 N	0		. the	H			1117772000
HPM 40.71, Chapters hapter 2, and HPM	2, 8, and 10.3, Cha	pters 24 and 28.	0				
		cked, the "Remarks" section	shall be ut	ilized for e	xplanation		
		ncy for reimbursable	☑ Yes	□ No	□ N/A	Remarks:	
		onsible for paying a overtime per CHP	D 162	Li NO			
		ardless of length of					
service/detail?							
		s overtime being allocated	\- \ \	= N	- N1/A	Remarks:	
		mployee(s) if cancellation urs or less prior to the	l Yes	□ No	□ N/A	Tromanto.	
		assigned CHP uniformed					
		etified of such cancellation?					
		project codes being used					
	associated	with reimbursable special	Yes	□ No	□ N/A	Remarks:	
projects?							
		ig nonuniformed personnel	N Von	□ No	│ □ N/A	Remarks:	
		lected on the Report of oursable Special Projects?	■ Yes	□ No	LIN/A		
		g non-reimbursable					
		ned for an employee, other	✓ Yes	□ No	□ N/A	Remarks:	
		nile on vacation or					
		nours worked during their					
regular work sh 6. Is "RDO" being		he "Notes" section of the					
		ord, for overtime worked on	₹ Yes	□ No	□ N/A	Remarks:	
a regular day of		,					
7. Is there a CHP	90, Report	of Court Appearance -				Remarks:	
		each officer or sergeant	N Yes	□ No	□ N/A	Cemans.	
when overtime i	s associat	ed for civil court?					

## OMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

8. Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	■ Yes	□ No	□ N/A	Remarks:
9. Did the supervisor sign the CHP 415s approving the overtime?	ĭ Yes	□ No	□ N/A	Remarks:
10. Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	<b>№</b> Yes	□ No	□ N/A	Remarks:
11. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	ĭ Yes	□ No	□ N/A	Remarks:
12. Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	□ Yes	<b>⊠</b> No	□ N/A	Remarks: One CHP 415 with overtime didn't have explanatory notes. During a subsequent 10 percent sampling, no other discrepancies were noted.
13. Are employee's Compensated Time Off hours maintained within reasonable balances?	□ Yes	I≆ No	□ N/A	Remarks: Just 1 instance for 4.83 hours were noted over a 13-pay periods
14. Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	□ Yes	ß No	□ N/A	Remarks: 69 Instances for 428.5 hours paid
15. Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	■ Yes	□ No	□ N/A	Remarks:
16. Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	A Yes	□ No	□ N/A	Remarks:
17. Are the MARs retained for at least three years and contain the commander's signature?	A Yes	□ No	□ N/A	Remarks:

Page

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### OMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 **Command Grant Management** 

Command: Redwood City	Division: Golden Gate	Number: 366
Evaluated by: Lt. C. Childs, #	13867	Date: 11/17/2009
Assisted by: Sgt. M. Lehmar	n, D. Silva	Date: 11/17/2009

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

Lead Inspector's Signature:

TYPE OF INSPECTION		÷ .	Lead Inspe	ctor's Signatu	re:		
☑ Division Level		Command Level	Ch	myle	du		
☐ Executive Office Leve		Voluntary Self-Inspection	Command	er's Signature:			Date:
Follow-up Requi	red:	G Falland our transaction	Commande	er's Signature	į.		Date.
		☐ Follow-up Inspection	91	5/			11/17/2009
🗌 Yes 🛮 🛚 N	0		15	Mad			
For applicable policy,							
		cked, the "Remarks" section	shall be ut	ilized for ex	cplanation		
a grant applicat Office of Traffic on traffic safety	nization is pon to a fur Safety (O goals clea did the co	proposing or has submitted nding agency other than the TS) that appears to focus rly within the jurisdiction of permander notify the	□ Yes	□ No	w N/A	Remarks:	
		rough the Highway Safety					
Plan, been soug for the purpose engineering stud implementations	th for traff of conduct dies, syste	ic safety-related activities ing inventories, need and m development or program	□ Yes	□ No	& N/A		Redwood City did for a grant in the inths
the expenses as	sociated v	grant funding to assist with vith the priority programs Highway Traffic Safety	□ Yes	□ No	M N/A	Remarks:	Same as #2
	d to fund o	red grant funds are not other programs or used for expenditures?	□ Yes	□ No	j⊠ N/A	Remarks:	
Unit (GMU)?	gh channe	ls to Grants Management	□ Yes	□ No	® N/A	Remarks:	Same as #2
	rates use	termine the current d for grant projects when udgets?	□ Yes	□ No	ı N/A	Remarks:	Same as #2

### OMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

	a b a 1 c	s supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part (250) being submitted to OTS for all grant projects coded as "for local benefit"?	□ Yes	□ No	⊠ N/A	Remarks: Same as #2
	re	Vere all copies of the grant project agreements, evisions, and claim invoices signed by the Project Director, or designated alternate?	□ Yes	□ No	⊠ N/A	Remarks: Same as #2
	a ft	Vere all inquiries or correspondence concerning the availability of grant funds or other contacts with grant unding agencies coordinated/processed through GMU?	□ Yes	□ No	x N/A	Remarks: Same as #2
	р	Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	□ Yes	□ No	KO N/A	Remarks: Same as #2
	C	Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	□ Yes	□ No	ß N/A	Remarks:
	, N	Are all requirements of the grant agreement and MOU being met?	□ Yes	□ No	⊠ N/A	Remarks:
	W Fe	s a final project report being prepared in accordance with the funding agency and departmental equirements upon the termination of the grant project?	□ Yes	□ No	® N/A	Remarks: Same as #2
		Does every invoice associated with a grant funded project contain the project number and name?	□ Yes	□ No	⊠ N/A	Remarks:
	a o	re all purchases of grant-funded equipment cquired under an OTS grant exceeding a unit cost f \$5,000 being documented on an Equipment Report, Form OTS-25?	□ Yes	□ No	⊠ N/A	Remarks: Same as #2
	е	las grant funded equipment been inspected to nsure it is being utilized in accordance with the espective grant agreement?	□ Yes	□ No	ĭø N/A	Remarks:
	G a <sub>l</sub> G a <sub>l</sub>	Are applications for federal funds in accordance with Government Code Section 13326 including obtaining pproval from the Department of Finance and/or the Governor's office prior to submission to the ppropriate federal authority?  This would include any of the following:  Applications for federal funds which are not included in the budget approved by the Governor.  Applications for federal funds which exceed the amount specified in the budget.	□ Yes	□ No	図 N/A	Remarks: Same as #2
_		and amount opcomed in the budget.				

### OMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

18	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	□ Yes	□ No	ĭ N/A	Remarks: Same as #2
19	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	□ Yes	□ No	≅ N/A	Remarks: Same as #2
20.	Are grant funds being used for their intended purpose?	□ Yes	□ No	⋈ N/A	Remarks;
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	□ Yes	□ No	⊠ N/A	Remarks: Same as #2
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	□ Yes	□ No	⋈ N/A	Remarks: Same as #2
	Submitted to the fulfully agency?				
Questi	ons 23 through 26 pertain to the Grants Managemen	t Unit			
		⊔ Yes	□ No	₩ N/A	Remarks: Same as #2
23.	ons 23 through 26 pertain to the Grants Managemen Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway		□ No	⊠ N/A	Remarks: Same as #2  Remarks: Same as #2
23.	ons 23 through 26 pertain to the Grants Management Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	□ Yes			

#### Memorandum

Date:

December 11, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

San Francisco Area

File No.:

335.12544

Subject:

RESPONSE TO COMMAND OVERTIME AND GRANT MANAGEMENT

**INSPECTION** 

This memorandum is intended to serve as the written response to the command overtime and grant management inspection.

#### FINDINGS REQUIRING FOLLOW-UP:

**Finding 1 – Agree.** Officers and Supervisors will be reminded of the requirement that CHP 415s, Daily Field Records, with overtime include a reason the overtime was worked and who pre-approved the overtime.

Finding 2 – Agree. Area management and supervisors are provided a list of uniformed personnel who are at or over the maximum allowable limit of CTO. Consistent with the Bargaining Unit 5 MOU, employees at or over the allowable limit of CTO are required to reduce their banks by a maximum of 24 hours.

**Finding 3 – Agree.** Area management approves and posts schedules that comply with FLSA requirements. Officers and supervisors will be reminded that prior to any schedule changes to the posted schedule are made that FLSA requirements are met. The Area timekeeper will attempt to identify and correct FLSA discrepancies prior to cut-off.

Should you have any questions, please do not hesitate to contact me.

PAUL FONTANA, Captain

Par Ut

Commander

# **COMMAND INSPECTION PROGRAM** FXCEPTIONS DOCUMENT

. uge 1 of 3

Command: San Francisco Area	Division: Golden Gate	Chapter 6		
Inspected by: Lt. Jim Fonseca		Date: 11/25/2009		

J					
number of the shall be routed	inspection in the Chapter I to and its due date. This	Inspection docume	on number. Under "Forw ont shall be utilized to do	ard to:" enter the nex cument innovative pra	Il in the blanks as indicated. Enter the chapter of level of command where the document actices, suggestions for statewide used if additional space is required.
TYPE OF INSPECTION  Division Level X Command Level  Executive Office Level		evel	Total hours expended on the inspection: 2.5 hours		☐ Corrective Action Plan Included☐ Attachments Included
Follow-u	p Required:	Forwa			
	XNO			REMOTE BY THE	A CONTRACTOR OF THE PROPERTY OF THE PARTY OF
Chapter Ir	nspection:				
Inspector's	s Comments Rega	dina Ir	novative Practices	S:	
None.					
Command	Suggestions for S	tatewic	de Improvement:		
none.					
Inspector's	s Findings:				
Finding #1:					-reimbursable overtime, however, npled with no discrepancies
Finding #2:		overtin	ne over the past tw		ed nine (9) instances of CTO A total of approximately 86.58
Finding #3:	· ·	s reve	•		ation Report (WPORR), during A discrepancies for a total of 144
Command	er's Response: X	Concui	r or 🗌 Do Not Con	cur (Do Not Conci	ur shall document basis for response)

Inspector's Comments: Shall address non concurrence by commander (e.g., findings revised, findings unchanged,

None.

etc.)

## **COMMAND INSPECTION PROGRAM**FXCEPTIONS DOCUMENT

. age 2 of 3

Command: San Francisco Area  Division: Golden Gate		Chapter: Chapter 6
Inspected by: Lt. Jim Fonseca		Date: 11/25/2009

Required Action	No. 22 M. Allander, Volger C. Problem
Corrective Action Plan/Timeline	

- Finding #1: #12, Command Overtime. On 9/11/2009, Officer Brown, #18799, worked non-reimbursable overtime, however, the 415 had no notes indicating why or who approved it. An additional 10 percent was sampled with no discrepancies found.
- Response: Sergeants and officers will be provided training on the appropriate handling of overtime.

  Area has addressed the specific incident and reminded officers of the importance of providing an explanation of any non-reimbursable overtime and who approved it. Sergeants will be reminded to approve only CHP 415s that have information in the notes section.
- Finding #2: #13, Command Overtime. Leave Balance Reports indicated nine (9) instances of CTO converted to paid overtime over the past twelve months. A total of approximately 86.58 hours of overtime paid out.

Response: Area sergeants and managers will continue to be provided a monthly spreadsheet from the timekeeper to identify those employees who are close to or who have accumulated the amount of CTO. Those employees at or over the CTO cap will be directed to reduce their balance by upto 24 hours.

Finding #3: #14, Command Overtime, Work Period Overtime Reconciliation Report (WPORR), during past twelve months revealed twenty-two instances of FLSA discrepancies for a total of 144 "½ time" hours paid.

Response: Area management approves and posts schedules that comply with FLSA requirements. Officers and supervisors will be reminded that prior to any schedule changes to the posted schedule are made that FLSA requirements are met. The timekeeper will attempt to identify and correct any FLSA discrepancies prior to cut-off.

Employee would like to discuss this report with	COMMANDER'S SIGNATURE	DATE
the reviewer.	la a to	12/./-
(See HPM 9.1, Chapter 8 for appeal procedures.)	1au 9	1011/2009
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	INSPECTOR'S SIGNATURE	DATE , ,
	J. Form	12/11/09

# **COMMAND INSPECTION PROGRAM**FXCEPTIONS DOCUMENT

. age 3 of 3

San Francisco Golden Gate Area		Chapter: Chapter 6				
Inspected by: Lt. Jim Fonseca	,	Date: 11/25/2009				

Reviewer discussed this report with	REVIEWER'S SIGNATURE	DATE
employee ☐ Do not concur	d.C)	1-15-10

Page

STATE OF CALIFORNIA
PEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Grant Management

Command:	Division:	Number:	
San Francisco	Golden Gate	335	
Area			
Evaluated by:	Date:		
Lt. Jim Fonseca	11/25/2009		
Assisted by:	Date:		
Sgt. Matthew Ot	11/25/2009		

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TYPE OF IN	ISPECTION		ector's Signatu				
X Division Level			Jann Jonne ct. 13303				
☐ Execut	tive Office Level	☐ Voluntary Self-Inspection	11		25		
Follo	w-up Required:		Commander's Signature: Date:				
		☐ Follow-up Inspection	0.	, ,			11/25/2009
Y	'es <u>X</u> No		Paul	4	-		
N.	cable policy, refer to		,				
		necked, the "Remarks" section	shall be ut	ilized for e	xplanation		
1	the commander becan		<b>V</b>		□ NI/A	Damadia	
		s proposing or has submitted funding agency other than the	X Yes	│	│ □ N/A	Remarks:	
		OTS) that appears to focus					
		early within the jurisdiction of					
	e Department, did the						
appropriate assistant commissioner?							
		through the Highway Safety			<b>V</b>	Dawa awka.	A did
		affic safety-related activities ucting inventories, need and	☐ Yes	☐ No	<b>X</b> N/A	ı	Area did not submit proposals in the
		stem development or program				past 12 m	
	plementations?	nem development or program				Past 12 111	711ti 13.
		ht grant funding to assist with					
		d with the priority programs	☐ Yes	☐ No	X N/A	Remarks:	GMU
		l Highway Traffic Safety			_		
	dministration?						
		sured grant funds are not	V	□No	□ N/A	Domarka:	
	ang reallocated to fund on-reimbursable overti	d other programs or used for	ed for X Yes No No Remarks:				
	e concept papers rega						
		nels to Grants Management	☐ Yes	X No	□ N/A	Remarks:	In past twelve
Ur	nit (GMU)?						o grant proposals.
	as GMU contacted to						
		sed for grant projects when	X Yes	│ ☐ No	□ N/A	1	Information
Dr.	eparing concept paper	buagets?				provided b	y GIVIU.

## MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Grant Management

7.	acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
8.	Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU
9.	Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
	Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU
11.	Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	X Yes	□No	□ N/A	Remarks:
12.	Are all requirements of the grant agreement and MOU being met?	X Yes	☐ No	□ N/A	Remarks:
13.	Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU. Does not apply to Area Operations.
14.	Does every invoice associated with a grant funded project contain the project number and name?	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU
15.	Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
16.	Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	X Yes	□No	□ N/A	Remarks: Child safety seat equipment.
17.	Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?  This would include any of the following:  • Applications for federal funds which are not included in the budget approved by the Governor.  • Applications for federal funds which exceed the amount specified in the budget	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU

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3 of 3

STATE OF CALIFORNIA
PEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

18.	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
19.	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU
20.	Are grant funds being used for their intended purpose?	X Yes	□No	□ N/A	Remarks:
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
	CANTILITY OF THE INTERIOR OF THE PARTY OF TH				
Questi	ons 23 through 26 pertain to the Grants Managemen	t Unit			
		t Unit	□ No	<b>X</b> N/A	Remarks: GMU
23.	ons 23 through 26 pertain to the Grants Managemen Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway		□ No	<u>X</u> N/A	Remarks: GMU Remarks: GMU
24.	Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	☐ Yes		_	

Page

STATE OF CALIFORNIA
PEPARTMENT OF CALIFORNIA HIGHWAY PATROL

#### **JMMAND INSPECTION PROGRAM**INSPECTION CHECKLIST

Chapter 6
Command Overtime

Command:	Division:	Number:		
San Francisco	San Francisco   Golden Gate			
Area				
Evaluated by:	Date:			
Lt. Jim Fonseca	11/25/2009			
Assisted by:	Date:			
Sgt. Matthew Ot	11/25/2009			

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TYPE OF INSPECTION	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ector's Signatu			
X Division Level ☐ Command Level		James Jonew CT. 13303			UT. 13303
☐ Executive Office Level ☐ Voluntary Self-Inspectio	1 / /				·
Follow-up Required:	Command	er's Signature	:		Date: 11/25/2009
☐ Follow-up Inspection					11/23/2009
Yes X No	aut	94			
For applicable policies, refer to HPM 11.1, Chapter 6,	- 1				
HPM 40.71, Chapters 2, 8, and 10, HPM 10.5,					
Chapter 2, and HPM 10.3, Chapters 24 and 28.					
Note: If a "No" or "N/A" box is checked, the "Remarks" section	on chall bo u	Hillmood for by	volonotion	∜ <i>«</i> ξ	or zevos e o zeklejnia:
Is the hiring company/agency for reimbursable	I Shan be u	IIIIZGU:IOI G	kpiai jatioi	and the same of the	
overtime being held responsible for paying a	X Yes	☐ No	□ N/A	Remarks:	
minimum of four hours of overtime per CHP	<u> </u>				
uniformed employee, regardless of length of					
service/detail?					
2. Is a minimum of four hours overtime being allocated				Remarks:	
to each CHP uniformed employee(s) if cancellation	X Yes	☐ No	│ □ N/A	rtemants.	
notification is made 24 hours or less prior to the scheduled detail and the assigned CHP uniformed					
employee(s) cannot be notified of such cancellation					
Are reimbursable special project codes being used					
for all overtime associated with reimbursable specia	X Yes	☐ No	□ N/A	Remarks:	
projects?					
Is the commander ensuring nonuniformed personner				Remarks:	
overtime hours are not reflected on the Report of	X Yes	☐ No	│ □ N/A	ricinanis.	
Overtime Hours for Reimbursable Special Projects?  5. Is the commander ensuring non-reimbursable					
overtime is not being claimed for an employee, othe	r X Yes	□No	□ N/A	Remarks:	
than Bargaining Unit 7, while on vacation or	7 162				
compensated time off for hours worked during their					
regular work shift time?					
6. Is "RDO" being written in the "Notes" section of the	.,			Remarks:	
CHP 415, Daly Field Record, for overtime worked or	Yes X	☐ No	□ N/A	1 Comand	
a regular day off?  7. Is there a CHP 90, Report of Court Appearance -	-				
Civil Action, completed for each officer or sergeant	X Yes	□No	□ N/A	Remarks:	
when overtime is associated for civil court?					

# MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

8. Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	X Yes	□ No	□ N/A	Remarks:
9. Did the supervisor sign the CHP 415s approving the overtime?	X Yes	□No	□ N/A	Remarks:
Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	X Yes	□No	□ N/A	Remarks:
11. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	X Yes	□No	□ N/A	Remarks:
12. Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	☐ Yes	<u>X</u> No	□ N/A	Remarks: One instance of overtime missing notes.
Are employee's Compensated Time Off hours maintained within reasonable balances?	☐ Yes	<u><b>X</b></u> No	□ N/A	Remarks: Nine instances of CTO converted to paid overtime. Refer to Exceptions form.
14. Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	<u><b>X</b></u> No	□ N/A	Remarks: Twenty-two instances identified. Refer to Exceptions Form.
15. Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	X Yes	□No	□ N/A	Remarks:
16. Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	X Yes	□No	□ N/A	Remarks:
17. Are the MARs retained for at least three years and contain the commander's signature?	X Yes	□No	□ N/A	Remarks:

#### Remarks:

#12: During subsequent 10 percent sampling, no other discrepancies noted.

#### Memorandum

Date:

December 9, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

San Jose Area

File No.:

340.11167

Subject:

RESPONSE TO GRANT MANAGEMENT AND COMMAND OVERTIME

INSPECTION REPORT

This memorandum is intended to serve as the written response to the grant management and command overtime inspection conducted by Golden Gate Division as required.

#### FINDINGS REQUIRING FOLLOW-UP:

As noted below, actions necessary to prevent repetitions of issues noted in Findings #1 and #2 were already enacted prior to this audit and no additional corrective action is warranted.

Finding #1: Agree. Area management currently tracks Converted to Overtime (CTO) balances on a monthly basis. In accordance with the current MOU, those individuals at the 480 hour cap are being directed to reduce the balance by 24 hours to preclude CTO conversion to paid overtime.

Finding #2: Agree. The two discrepancies which resulted in Fair Labor Standard Act (FLSA) overtime conversion of eight and one half hours occurred approximately 11 months ago. Area management conducts monthly checks and 415 clerks are sufficient to preclude a reoccurrence.

Questions regarding this response may be directed to Lieutenant Spencer Boyce at (408) 467-5400.

C. J. WAYNE, Captain

Commander

# **COMMAND INSPECTION PROGRAM** FXCEPTIONS DOCUMENT

Command:	Division:	Chapter:
San Jose	Golden Gate	Chapter 6
Inspected by:		Date:
Lt. Jim Fonsed	11/17/2009	

, age 1 of 3

INSTRUCTIONS: This document shall be number of the inspection in the Chapter shall be routed to and its due date. This improvement, identified deficiencies, co	Inspecti s docume	on number. Under "Forw ent shall be utilized to do	ard to:" enter the nex cument innovative pr	
TYPE OF INSPECTION  Division Level X Command Level  Executive Office Level		Total hours expended on the inspection: 4 hours		☐ Corrective Action Plan Included ☐ Attachments Included
Follow-up Required: ☐ Yes <u>X</u> No	Forwa			
Chapter Inspection: Inspector's Comments Rega	rding Ir	nnovative Practices		
None				
Command Suggestions for S  None	tatewic	de Improvement:		
Inspector's Findings:				
no indication of RI found.	00 in 1	Notes Section. Add	ditional 10 perce	ttended court on RDO, however ent sampled, no discrepancies welve months, on Leave Balance
as a result of max	imum (	CTO levels.		was converted to paid overtime
				ation Report (WPORR), during epancies for a total of eight (8)
Commander's Response: 🖸	Concu	ır or 🗌 Do Not Cor	cur (Do Not Cond	cur shall document basis for response)

## **COMMAND INSPECTION PROGRAM** FXCEPTIONS DOCUMENT

Command: Division: Chapter:
San Jose Golden Gate Chapter 6
Inspected by: Date:
Lt. Jim Fonseca 11/17/2009

, uge 2 of 3

Inspector's Comments:	Shall address non concurrence by commander (e.g.	, findings revised,	findings unchanged,
etc.)		-	

Findings unchanged.

#### Required Action

Corrective Action Plan/Timeline

As noted below, corrective action has been taken on Finding #1. Actions necessary to prevent repetitions of issues noted in Findings #2 and #3 were already enacted prior to this audit and no additional corrective action is warranted.

Finding #1: Area has prepared a briefing item to ensure all personnel are aware of this policy. This will continue to be a topic of discussion at area staff meetings.

Finding #2: Area management currently tracks CTO balances on a monthly basis. In accordance with current MOU, those individuals at the 480 hour cap are being directed to reduce the balance by 24 hours to preclude CTO conversion to paid overtime.

Finding #3: The two discrepancies in question occurred approximately 11 months ago. Monthly checks by Area management and 415 clerks are sufficient to preclude a reoccurrence.

# **COMMAND INSPECTION PROGRAM** FXCEPTIONS DOCUMENT

, \_ge 3 of 3

Command:	Division:	Chapter:
San Jose	Golden Gate	Chapter 6
Inspected by:		Date:
Lt. Jim Fonseca		11/17/2009

	$\mathcal{M}$	
Employee would like to discuss this report with	COMMANDER'S SIGNATURE	DATE
the reviewer.	/ Call /h	12-4-19
(See HPM 9.1, Chapter 8 for appeal procedures.)	acc	10 10
	INSPECTOR'S SIGNATURE	DATE
	J. Janu 17. 13303	12-5-09
Reviewer discussed this report with	RÉVIEWER'S SIGNATURE	DATE
employee	(A D C)	1 1510
Concur Do not concur	4.1.6	1-15-10

#### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Overtime

Command:	Division:	Number:	
San Jose Area	Golden Gate	340	
Evaluated by:	Date:		
Lt. Jim Fonseca	11/17/2009		
Assisted by:	Date:		
Sgt. Steve Peres	11/17/2009		

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TYPE OF INSPECTION	Lead Inspe	ctor's Signatu	ıre:			
X Division Level	_evel (		mur	Fou	uan	r. 13303
_						
Follow-up Required:	Self-Inspection	Commande	er's signature			Date:
	p Inspection	21	///			11/17/2009
Yes X No		all	0			
For applicable policies, refer to HPM 11.1,						
HPM 40.71, Chapters 2, 8, and 10, HPM 10 apter 2, and HPM 10.3, Chapters 24 and						
apier 2, and HFW 10.5, Chapters 24 and	1 20.					
Note: If a "No" or "N/A" box is checked, the "Re	marks" section	shall be ut	ilized for ex	planation		
1. Is the hiring company/agency for reimb					Remarks:	
overtime being held responsible for pay minimum of four hours of overtime per		X Yes	☐ No	□ N/A	Tromanion	
uniformed employee, regardless of leng						
service/detail?						
<ol><li>Is a minimum of four hours overtime be to each CHP uniformed employee(s) if</li></ol>		V	□No	│ │	Remarks:	
notification is made 24 hours or less pri		X Yes				
scheduled detail and the assigned CHF	uniformed					
employee(s) cannot be notified of such						
<ol><li>Are reimbursable special project codes for all overtime associated with reimbur</li></ol>		X Yes	□No	□ N/A	Remarks:	
projects?	cable openial	<u>V</u> 162		1,07,1		
4. Is the commander ensuring nonuniform					Remarks:	
overtime hours are not reflected on the Overtime Hours for Reimbursable Spec		X Yes	☐ No	□ N/A	T CITICINO.	
5. Is the commander ensuring non-reimbu						
overtime is not being claimed for an em	ployee, other	X Yes	☐ No	□ N/A	Remarks:	
than Bargaining Unit 7, while on vacation compensated time off for hours worked						
regular work shift time?	during then					
6. Is "RDO" being written in the "Notes" se					Domarka: Or	ne 415 missing notes
CHP 415, Daly Field Record, for overting	ne worked on	☐ Yes	<u><b>X</b></u> No	□ N/A		ork completed on RDO
a regular day off?  7. Is there a CHP 90, Report of Court App	earance -					
Civil Action, completed for each officer	or sergeant	<b>X</b> Yes	☐ No	□ N/A	Remarks:	
when overtime is associated for civil co	urt?	10-				

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Overtime

employee's lune employee work	5s with overtime indicate the ch period or indicate "None" if the ed through their lunch break?	X Yes	□ No	□ N/A	Remarks:
9. Did the supervi overtime?	sor sign the CHP 415s approving the	X Yes	□No	□ N/A	Remarks:
worked within 5 headquarters?	ertime meals related to overtime 0 miles of the employee's	X Yes	□No	□ N/A	Remarks:
the name of the provided exclude counselor?	curred by a peer support counselor, is employee to whom support was led from the CHP 415 of the	X Yes	□ No	□ N/A	Remarks:
	ection on side two of the CHP 415 any overtime listed on side one of the	X Yes	☐ No	□ N/A	Remarks:
	Compensated Time Off hours in reasonable balances?	☐ Yes	<u>X</u> No	□ N/A	Remarks: Six instances of CTO converted to paid overtime in past 12 months. Refer to Exceptions form.
incurring overtir	ler ensuring employees are not ne due to working over the allotted s for any given Fair Labor Standards od?	☐ Yes	<u><b>X</b></u> No	□ N/A	Remarks: Two discrepancies identified. Refer to Exceptions Form.
are not working them working m period?	er ensuring uniformed employees voluntary overtime which results in ore than 16.5 hours in a 24 hour	X Yes	□No	□ N/A	Remarks:
	total overtime hours agree with the nuce Report (MAR)?	X Yes	☐ No	□ N/A	Remarks:
	etained for at least three years and mander's signature?	X Yes	☐ No	□ N/A	Remarks:

#### Remarks:

#### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

Division:	Number:	
San Jose Golden Gate		
Evaluated by:		
Lt. Jim Fonseca		
Assisted by:		
Sgt. Steve Perea		
	Golden Gate	

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

2 10 0 10 10 10 10 10 10 10 10 10 10 10 1				
TYPE OF INSPECTION	Lead Inspe	ector's Signati		
X Division Level ☐ Command Level ☐ Executive Office Level ☐ Voluntary Self-Inspec	etion M	one		3303 M
		er/s \$ignature		Date:
Follow-up Required:	1 / /	M J J J J J J J J J J J J J J J J J J J		11/17/2009
☐ Yes <u>X</u> No	Cal			
For applicable policy, refer to: GO 40.6				
No.e: If a "No" or "N/A" box is checked, the "Remarks" se	ection shall be u	tilized for e	xplanation	
<ol> <li>If the commander became aware that another agency or organization is proposing or has subm a grant application to a funding agency other than</li> </ol>		□No	□ N/A	Remarks:
Office of Traffic Safety (OTS) that appears to foci on traffic safety goals clearly within the jurisdictio	us			
the Department, did the commander notify the	11 01			
appropriate assistant commissioner?				
<ol> <li>Has OTS grant funding, through the Highway Saf Plan, been sought for traffic safety-related activiti for the purpose of conducting inventories, need a engineering studies, system development or prog implementations?</li> </ol>	es  Yes	□No	X N/A	Remarks: Area did not submit any grant proposals.
3. Has the command sought grant funding to assist the expenses associated with the priority progran identified by the National Highway Traffic Safety Administration?	ns Tyes	□ No	<b>X</b> N/A	Remarks: GMU
4. Has the commander ensured grant funds are not being reallocated to fund other programs or used non-reimbursable overtime expenditures?		□ No	□ N/A	Remarks:
5. Are concept papers regarding grant funding submitted through channels to Grants Manageme Unit (GMU)?	ent Yes	<u>X</u> No	□ N/A	Remarks: Area did not submit any grant proposals.
<ol> <li>Was GMU contacted to determine the current personnel billing rates used for grant projects who preparing concept paper budgets?</li> </ol>	en <u>X</u> Yes	□ No	□ N/A	Remarks: Information

#### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

7. Is supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
8. Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
9. Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
10. Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
11. Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	X Yes	□ No	□ N/A	Remarks:
12. Are all requirements of the grant agreement and MOU being met?	X Yes	□No	□ N/A	Remarks:
13. Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU. Does not apply to Area Operations.
14. Does every invoice associated with a grant funded project contain the project number and name?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
15. Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	X Yes	☐ No	□ N/A	Remarks: Radar Trailer.
<ul> <li>17. Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?  This would include any of the following:  <ul> <li>Applications for federal funds which are not included in the budget approved by the Governor.</li> <li>Applications for federal funds which exceed the amount specified in the budget</li> </ul> </li> </ul>	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU

#### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

18	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
	Are grant funds being used for their intended purpose?	X Yes	□No	□ N/A	Remarks:
	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	☐ No	<b>X</b> N/A	Remarks: GMU
	submitted to the funding agency?			I	
Questi	submitted to the funding agency? ons 23 through 26 pertain to the Grants Managemen	t Unit			
		t Unit ☐ Yes	□ No	<u>X</u> N/A	Remarks: GMU
23.	ons 23 through 26 pertain to the Grants Managemen Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway		□ No	<u>X</u> N/A	Remarks: GMU
24.	Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	☐ Yes			

#### Memorandum

Date:

December 9, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Hayward Area

File No.:

301.13700.09-082

Subject:

RESPONSE TO COMMAND GRANT AND OVERTIME INSPECTION

This memorandum is intended to serve as the written response to the command grants and overtime inspection report of the Hayward Area. Area management and sergeants are actively involved in this program and ensure that all Area personnel are properly trained.

#### FINDINGS REQUIRING FOLLOW-UP:

Finding 1 – Agree. Area has identified the issue of Fair Labor Standards Act (FLSA) overtime and has been working on correcting the problem. The last three months have shown a drastic decrease in FLSA overages. The Area commander has reviewed the issue with the Area's time keeper and the scheduling sergeant. A training session has been conducted with all sergeants and the management team on December 9, 2009. Monthly reviews will be conducted to ensure FLSA overtime is not occurring. Attendance screens will be utilized to assist in the accounting of hours worked in each FLSA period.

Questions or concerns regarding this response may be directed to Sergeant Kevin Briggs or myself at (510) 489-1500.

M. W. MULGREW, Captain

Commander

# **COMMAND INSPECTION PROGRAM**FXCEPTIONS DOCUMENT

Command:	Division:	Chapter:
Hayward Area	Golden Gate	Chapter 6
Inspected by:		Date:
Lt. Jim Fonseca	1	11/19/2009

ı	uge	1	of	2
---	-----	---	----	---

INSTRUCTIONS: This document shall be number of the inspection in the Chapter shall be routed to and its due date. This improvement, identified deficiencies, con	Inspection Inspection of	on number. Under "Forw ent shall be utilized to doc	ard to:" enter the nex cument innovative pra	Il in the blanks as indicated. Enter the chapter of level of command where the document actices, suggestions for statewide used if additional space is required.		
TYPE OF INSPECTION  ☐ Division Level X Command Level ☐ Executive Office Level		Total hours expended inspection: 4 hours	d on the	☐ Corrective Action Plan Included ☐ Attachments Included		
Follow-up Required:	Forwa	rd to:				
☐ Yes <b>X</b> No	Due D	ate:				
Chapter Inspection:		Christian Sales				
Inspector's Comments Regar	dina Ir	novative Practices				
None  Command Suggestions for St			-			
None	iatewic	е шргочетен.				
Inspector's Findings:						
Finding #1: #14, Command Overtime, Work Period Overtime Reconciliation Report (WPORR), during past twelve months, revealed 46 instances of FLSA discrepancies for a total of 241 hours paid at ½ time.						
Commander's Response: X	Concur	or 🗌 Do Not Cond	cur (Do Not Concu	ur shall document basis for response)		
Inspector's Comments: Shall a etc.)	address	non concurrence by c	ommander (e.g., fi	ndings revised, findings unchanged,		
Findings unchanged.						

CHP 680A (Rev. 02-09) OP! 010

### **COMMAND INSPECTION PROGRAM**FXCEPTIONS DOCUMENT

. uge 2 of 2

Command:	Division:	Chapter:
Hayward Area	Golden Gate	Chapter 6
Inspected by:		Date:
Lt. Jim Fonseca		11/19/2009

3						
Required Action			Contraction (	( in the	pi/	ring.
Corrective Action Plan/Timelin						
Corrective Action Flan/Timelin	3	 				 

Hayward Area has had changes in commanders and lieutenants in the last year. As of November 1, 2009, Hayward Area received its newest commander and an acting lieutenant. Area has already identified the issue of FLSA overtime and has been working on correcting the problem. The last three months have shown a drastic decrease in FLSA overages.

The Area commander has reviewed the issue with the Area's time keeper and the scheduling sergeant. A training session will be conducted with all sergeants and the management team at the next Area staff meeting on December 9, 2009.

Monthly reviews will be conducted to ensure FLSA overtime is not occurring. Attendance screens will be utilized to assist in the accounting of hours worked in each FLSA period.

The responsibility of Scheduling Sergeant will remain with the Area's most tenured sergeant. This will create stability in Area's scheduling procedures and will reduce the likelihood of simple errors that occur in ongoing sergeant transfers.

Employee would like to discuss this report with	COMMANDER'S SIGNATURE	DATE
the reviewer.	1.1.1.1.2	1///
(See HPM 9.1, Chapter 8 for appeal procedures.)	May allow	11/25/09
	INSPECTOR'S SIGNATURE	DATE
	A. Former UT. 13503	12/10/09
Reviewer discussed this report with	REVIEWER'S SIGNATURE	DATE
amployee	21-11	1 1
Concur Do not concur	13/m/N/	1/12/2010

#### JOMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Grant Management

Command:	Division:	Number:		
Hayward Area Golden Gate		345		
Evaluated by:	Date:			
Lt. Jim Fonseca	11/19/2009			
Assisted by:	Date:			
Sgt. Steve Pere	11/19/2009			
SSA J. Manlutad				

applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected. Lead Inspector's Signature: TYPE OF INSPECTION mun 17. 13303 X Division Level ☐ Command Level ☐ Executive Office Level ☐ Voluntary Self-Inspection Follow-up Required: Commander's Signature: ☐ Follow-up Inspection Yes X No For applicable policy, refer to: GO 40.6 ..ote: If a "No" or "N/A" box is checked, the "Remarks" section shall be utilized for explanation. If the commander became aware that another agency or organization is proposing or has submitted ☐ No ☐ N/A Remarks: X Yes a grant application to a funding agency other than the Office of Traffic Safety (OTS) that appears to focus on traffic safety goals clearly within the jurisdiction of the Department, did the commander notify the appropriate assistant commissioner? 2. Has OTS grant funding, through the Highway Safety M Yes □ No Plan, been sought for traffic safety-related activities Remarks: Area did not submit X N/A for the purpose of conducting inventories, need and any grant proposals. engineering studies, system development or program implementations? Has the command sought grant funding to assist with the expenses associated with the priority programs ☐ Yes ☐ No X N/A Remarks: GMU identified by the National Highway Traffic Safety Administration? 4. Has the commander ensured grant funds are not ☐ No □ N/A being reallocated to fund other programs or used for Remarks: X Yes non-reimbursable overtime expenditures? Are concept papers regarding grant funding ☐ Yes □ N/A submitted through channels to Grants Management Remarks: Area did not submit X No Unit (GMU)? any grant proposals. Was GMU contacted to determine the current personnel billing rates used for grant projects when ☐ No □ N/A Remarks: Information X Yes preparing concept paper budgets? provided by GMU.

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy,

## JOMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

	7.	Is supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU
		coded as "for local benefit"?				
	8.	Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU
	9.	Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU
		Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU
	11.	Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	X Yes	□No	□ N/A	Remarks:
l ,	12.	Are all requirements of the grant agreement and MOU being met?	X Yes	□ No	□ N/A	Remarks:
	13.	Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU. Does not apply to Area Operations.
	14.	Does every invoice associated with a grant funded project contain the project number and name?	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU
	15.	Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	☐ Yes	□ No	<u><b>X</b></u> N/A	Remarks: GMU
	16.	Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	☐ Yes	☐ No	<u><b>X</b></u> N/A	Remarks: Area has no equipment.
	17.	Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?  This would include any of the following:  • Applications for federal funds which are not included in the budget approved by the Governor.  • Applications for federal funds which exceed the amount specified in the budget.	☐ Yes	□ No	X N/A	Remarks: GMU

STATE OF CALIFORNIA

## JOMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

18.	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU
19	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU
20	Are grant funds being used for their intended purpose?	X Yes	□ No	□ N/A	Remarks:
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
22	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU
	submitted to the funding agency?				
∩uesti	submitted to the funding agency? ons 23 through 26 pertain to the Grants Managemen	t Unit	3.		
Puesti 23	ons 23 through 26 pertain to the Grants Managemen. Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway	t Unit ☐ Yes	□ No	<u>X</u> N/A	Remarks: GMU
23	ons 23 through 26 pertain to the Grants Managemen  Has GMU prepared an annual Management  Memorandum to be disseminated to all commanders		□ No	<u>X</u> N/A	Remarks: GMU
24	Ons 23 through 26 pertain to the Grants Management. Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	☐ Yes		_	

#### JOMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Command:	Division:	Number:		
Hayward Area	Golden Gate	345		
Evaluated by:	Date:			
Lt. Jim Fonseca	11/19/2009			
Assisted by:		Date:		
Sgt. Steve Pere	a	11/19/2009		

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.						
		1 1 0: 1	-	***********		
TYPE OF INSPECTION	Lead Inspe	ector's Signatu	ıre:			
Variation III and the second	V	1		- 13	> 1 7	
X Division Level ☐ Command Level (	A.	tome	en l	7. 13	303	
D Everytive Office Level D Valuation Colf Increasing	11	/	0.700			
Executive Office Level	Commande	er's Signature			Date:	
Follow-up Required:	Commande	ei s Olymature	•		11/19/2009	
		- /	1		11/10/2003	
Yes X No	1111	11/	allow.			
For applicable policies, refer to HPM 11.1, Chapter 6,	600	, (	000	)		
HPM 40.71, Chapters 2, 8, and 10, HPM 10.5,						
apter 2, and HPM 10.3, Chapters 24 and 28.						
2						
Note: If a "No" or "N/A" box is checked, the "Remarks" section	shall be ut	ilized for ex	kplanation			
Is the hiring company/agency for reimbursable						
overtime being held responsible for paying a	X Yes	☐ No		Remarks:		
minimum of four hours of overtime per CHP	_					
uniformed employee, regardless of length of						
service/detail?						
Is a minimum of four hours overtime being allocated				Damada		
to each CHP uniformed employee(s) if cancellation	X Yes	☐ No		Remarks:		
notification is made 24 hours or less prior to the						
scheduled detail and the assigned CHP uniformed						
employee(s) cannot be notified of such cancellation?						
Are reimbursable special project codes being used				Remarks:		
for all overtime associated with reimbursable special	X Yes	☐ No	│ □ N/A	r tomanto.		
projects?						
<ol> <li>Is the commander ensuring nonuniformed personnel overtime hours are not reflected on the Report of</li> </ol>	VV	□No	□ N/A	Remarks:		
Overtime Hours for Reimbursable Special Projects?	X Yes	□ INO				
Is the commander ensuring non-reimbursable						
overtime is not being claimed for an employee, other	X Yes	□No	□ N/A	Remarks:		
than Bargaining Unit 7, while on vacation or	<u> </u>					
compensated time off for hours worked during their						
regular work shift time?						
6. Is "RDO" being written in the "Notes" section of the						
CHP 415, Daly Field Record, for overtime worked on	X Yes	□No	□ N/A	Remarks:		
a regular day off?						
7. Is there a CHP 90, Report of Court Appearance -		N1				
Civil Action, completed for each officer or sergeant	X Yes	☐ No	□ N/A	Remarks:		
when overtime is associated for civil court?						

### JOMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

8. Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	X Yes	□No	□ N/A	Remarks:
9. Did the supervisor sign the CHP 415s approving the overtime?	X Yes	□No	□ N/A	Remarks:
10. Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	X Yes	□No	□ N/A	Remarks:
11. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	X Yes	□No	□ N/A	Remarks:
12. Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	X Yes	□No	□ N/A	Remarks:
13. Are employee's Compensated Time Off hours maintained within reasonable balances?	X Yes	□ No	□ N/A	Remarks:
14. Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	X No	□ N/A	Remarks: 46 discrepancies identified. Refer to Exceptions Form.
15. Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	X Yes	□No	□ N/A	Remarks:
16. Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	X Yes	□ No	□ N/A	Remarks:
17. Are the MARs retained for at least three years and contain the commander's signature?	X Yes	□ No	□ N/A	Remarks:

#### Remarks:

#### Memorandum

Date:

December 9, 2009

To:

Golden Gate Division

Attention: Chief Bridget Lott

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Nimitz Inspection Facility

File No.:

347.9787

Subject:

RESPONSE TO COMMAND OVERTIME AND GRANT MANAGEMENT

INSPECTION REPORT

This memorandum is intended to serve as the written response to the command overtime and grant management inspection report of Golden Gate Division as required.

#### FINDINGS REQUIRING FOLLOW-UP:

Finding 1 -Agree: Measures have been taken to reduce employee's CTO balances. All leave balances will be monitored on a monthly basis to prevent any reoccurrence.

**Finding 2 – Agree:** An area employee was loaned to division on a temporary assignment. During this assignment, the employee incurred an FLSA overage resulting in paid overtime. Measures have been taken to prevent this from reoccurring.

Questions regarding this response may be directed to Sergeant John Chia via e-mail at <u>jchia@chp.ca.gov</u> or by telephone at (510) 794-3658.

S. L. Latimer, Lieutenant

Commander

## **COMMAND INSPECTION PROGRAM** FXCEPTIONS DOCUMENT

. age 1 of 2

Command: Nimitz Insp. Facility	Division: Golden Gate	Chapter: Chapter 6	
Inspected by: Lt. Jim Fonseca		Date: 11/24/2009	

INSTRUCTIONS: This document shall number of the inspection in the Chapte shall be routed to and its due date. Th improvement, identified deficiencies, co	r Inspecti is docume	on number. Under "Forw ent shall be utilized to doc	ard to:" enter the nex sument innovative pra			
TYPE OF INSPECTION  Division Level X Command Level  Executive Office Level		Total hours expended on the inspection: 4 hours		☐ Corrective Action Plan Included ☐ Attachments Included		
Follow-up Required:  Due Date:						
Chapter Inspection: Inspector's Comments Rega	rding l	anavativo Praeticos				
None.	irding ii	movative Fractices	<b>.</b>			
Command Suggestions for S	Statewic	de Improvement:		<u>.</u>		
Inspector's Findings:						
Finding #1: #13, Command Overtime. Leave Balance Reports indicated three (3) instances of CTO converted to paid overtime over the past twelve months. A total of approximately 24.63 hours of overtime paid out.						
Finding #2: #14, Command Overtime, Work Period Overtime Reconciliation Report (WPORR), during past twelve months, revealed one instance of FLSA discrepancies for a total of <b>.18</b> hours paid at a ½ time rate.						

Commander's Response: X Concur or Do Not Concur (Do Not Concur shall document basis for response)

# **COMMAND INSPECTION PROGRAM**FXCEPTIONS DOCUMENT

. \_ge 2 of 2

Command: Nimitz Insp. Facility	Division: Golden Gate	Chapter: Chapter 6	
Inspected by:  Lt. Jim Fonseca	1	Date: 11/24/2009	

Inspector's Comments:	Shall address non concurrence by commander (e.g., findings revised, findings unchanged,	
etc.)		

Findings not changed.

Required Action	18.8		
Corrective Action Plan/Timeline			

- Finding #1: Area has taken measures to reduce employee's CTO banks and monitor leave balances on a monthly basis. At the present time, all employees leave balances are well within policy.
- Finding #2: The FLSA overage involved an employee assigned to Area who was working in division on a temporary assignment. Measures have been taken to prevent this from reoccurring again.

Employee would like to discuss this report with the reviewer. (See HPM 9.1, Chapter 8 for appeal procedures.)	COMMANDER'S SIGNATURE	12 9 09
	1. Formum	12/15/09
Reviewer discussed this report with employee Concur  Do not concur	RÉVIEWER'S SIGNATURE	1/12/2010

Page

STATE OF CALIFORNIA

PARTMENT OF CALIFORNIA HIGHWAY PATROL

### JMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Grant Management

Command:	Division:	Number:						
Nimitz Insp.	Golden Gate	347						
Facility								
Evaluated by:	Date:							
Lt. Jim Fonseca		11/24/2009						
Assisted by:	Date:							
Sgt. Steve Peres	11/24/2009							

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TYPE OF	INSPECTION		Lead Inspector's Signature:					
_	on Level [	Command Level	J- Foren LT. 13303					
	cutive Office Level [	Voluntary Self-Inspection						
Foll	low-up Required:		Commander's Signature: Date:					
		☐ Follow-up Inspection *	1	· • •	1 4.		11/24/2009	
	Yes <u>X</u> No		1	m L.	Lalim	-		
3	olicable policy, refer to:							
		ecked, the "Remarks" section	shall be ut	ilized for ex	planation			
		e aware that another proposing or has submitted anding agency other than the	X Yes	☐ No	□ N/A	Remarks:		
	Office of Traffic Safety (O							
		arly within the jurisdiction of						
	the Department, did the c							
	appropriate assistant com	nmissioner?						
2.	Has OTS grant funding, the Plan, been sought for traf	hrough the Highway Safety ffic safety-related activities	☐ Yes	□ No	<u>X</u> N/A		Area did not submit	
		eting inventories, need and em development or program				any grant	proposals.	
	implementations?	om development of program						
		t grant funding to assist with						
		with the priority programs	☐ Yes	□ No	<b>X</b> N/A		Completed through	
	identified by the National Administration?	Highway Traffic Safety				CVS.		
	Has the commander ensu	red grant funds are not						
		other programs or used for	X Yes	☐ No	□ N/A	Remarks:		
	non-reimbursable overtim							
	Are concept papers regar			¥		Damanica	Aven did not subject	
	submitted through channe Unit (GMU)?	els to Grants Management	☐ Yes	<u><b>X</b></u> No	│ □ N/A	any grant	Area did not submit proposals.	
	Was GMU contacted to de	etermine the current						
	personnel billing rates use	ed for grant projects when	X Yes	☐ No	□ N/A	Remarks:	Information	
	preparing concept paper b	budgets?	_			provided b	ov GMU and CVS.	

## JMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

**Command Grant Management** 

	a b a 1 c	s supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part (250) being submitted to OTS for all grant projects coded as "for local benefit"?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU or CVS
	re D	Vere all copies of the grant project agreements, evisions, and claim invoices signed by the Project Director, or designated alternate?	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU or CVS
	a fu	Vere all inquiries or correspondence concerning the availability of grant funds or other contacts with grant unding agencies coordinated/processed through GMU?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU or CVS
	p e:	are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU or CVS
	cl	Are quarterly progress reports forwarded though hannels to GMU in accordance with the instructions ontained in the associated project MOU?	X Yes	□No	□ N/A	Remarks:
		are all requirements of the grant agreement and MOU being met?	X Yes	□No	□ N/A	Remarks:
	w re	s a final project report being prepared in accordance with the funding agency and departmental equirements upon the termination of the grant roject?	X Yes	□No	□ N/A	Remarks: Routed through GGD to CVS.
		loes every invoice associated with a grant funded roject contain the project number and name?	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU or CVS
	a of	re all purchases of grant-funded equipment cquired under an OTS grant exceeding a unit cost f \$5,000 being documented on an Equipment eport, Form OTS-25?	☐ Yes	□ No	<u><b>X</b></u> N/A	Remarks: GMU or CVS
	er	las grant funded equipment been inspected to nsure it is being utilized in accordance with the espective grant agreement?	☐ Yes	□ No	<b>X</b> N/A	Remarks: No equipment.
200	G ar G ar	re applications for federal funds in accordance with dovernment Code Section 13326 including obtaining approval from the Department of Finance and/or the dovernor's office prior to submission to the appropriate federal authority?  • Applications for federal funds which are not included in the budget approved by the Governor.  • Applications for federal funds which exceed the amount specified in the budget.	☐ Yes	□No	X N/A	Remarks: GMU or CVS

Page

3 of 3

STATE OF CALIFORNIA
PERARTMENT OF CALIFORNIA HIGHWAY PATROL

## JMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

18	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU or CVS
	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU or CVS
	Are grant funds being used for their intended purpose?	X Yes	□No	□ N/A	Remarks:
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	<b>X</b> N/A	Remarks: Completed by GMU or CVS.
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
	submitted to the fullding agency?				
	ons 23 through 26 pertain to the Grants Managemen	t Unit	1012 21		
23.	ons 23 through 26 pertain to the Grants Managemen Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?	t Unit	□ No	<u>X</u> N/A	Remarks: GMU
23.	Ons 23 through 26 pertain to the Grants Management Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive Assistants?		□ No	<u>X</u> N/A	Remarks: GMU
24.	Ons 23 through 26 pertain to the Grants Management Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	☐ Yes		-	

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Overtime

Command:	Division:	Number:	
Nimitz Insp.	Golden Gate	347	
Facility			
Evaluated by:		Date:	
Lt. Jim Fonseca		11/24/2009	
Assisted by:		Date:	
Sgt. Steve Perea		11/24/2009	

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TYPE C	F INSPECTION		Lead Inspe	ector's Signatu	ıre:		
X Divi	sion Level	☐ Command Level	H	Your	- 67	T. 13	303
☐ Exe	ecutive Office Level	☐ Voluntary Self-Inspection					
Fo	ollow-up Required:	☐ Follow-up Inspection	Commande	er's Signature			Date: 11/24/2009
	Yes <u>X</u> No		ohu	m L.	Lalim	~	
		o HPM 11.1, Chapter 6,	1				
	40.71, Chapters 2, 8, an						
/ apt	er 2, and HPM 10.3, Ch	napters 24 and 28.					
Note:		ecked, the "Remarks" section	shall be ut	ilized for ex	xplanation		
1.						Remarks:	
	overtime being held resp minimum of four hours of		X Yes	□ No	□ N/A	I temans.	
	uniformed employee, reg						
	service/detail?	gardiess of length of					
2.		irs overtime being allocated					
	to each CHP uniformed e	employee(s) if cancellation	X Yes	☐ No	□ N/A	Remarks:	
	notification is made 24 h						
		assigned CHP uniformed					
		otified of such cancellation?					
3.		project codes being used	V		- N/A	Remarks:	
	projects?	ed with reimbursable special	X Yes	☐ No	□ N/A		
4.		ing nonuniformed personnel					
	overtime hours are not re		X Yes	□No	□ N/A	Remarks:	
	Overtime Hours for Reim	bursable Special Projects?	<u>X</u> 103				
5.	Is the commander ensuri	ing non-reimbursable					
		imed for an employee, other	X Yes	☐ No		Remarks:	
	than Bargaining Unit 7, w		_				
		hours worked during their					
6.	regular work shift time?	the "Notes" section of the					
0.	CHP 415 Daly Field Rec	cord, for overtime worked on	V Voc	□No	□ N/A	Remarks:	
	a regular day off?	ora, for everallic worked off	X Yes	□ 140			
7.	Is there a CHP 90, Report	rt of Court Appearance -					
. 4	Civil Action, completed for	or each officer or sergeant	X Yes	☐ No	□ N/A	Remarks:	
	when overtime is associa	ated for civil court?					

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	X Yes	□ No	□ N/A	Remarks:
9. Did the supervisor sign the CHP 415s approving the overtime?	X Yes	□No	□ N/A	Remarks:
Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	X Yes	□No	□ N/A	Remarks:
11. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	X Yes	□No	□ N/A	Remarks:
12. Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	X Yes	☐ No	□ N/A	Remarks:
13. Are employee's Compensated Time Off hours maintained within reasonable balances?	☐ Yes	<u>X</u> No	□ N/A	Remarks: Three instances of CTO converted to paid overtime in past 12 months. Refer to Exceptions form.
14. Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	<u><b>X</b></u> No	□ N/A	Remarks: One instance identified. Refer to Exceptions Form.
15. Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	X Yes	□No	□ N/A	Remarks:
16. Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	X Yes	□No	□ N/A	Remarks:
17. Are the MARs retained for at least three years and contain the commander's signature?	X Yes	□No	□ N/A	Remarks:

#### Remarks:

#### Memorandum

Date:

December 11, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Marin Area

File No.:

350.12199

Subject:

COMMAND LEVEL INSPECTION - CHAPTER 6 - COMMAND GRANT

MANAGEMENT AND COMMAND OVERTIME

On December 3, 2009, Golden Gate Division Inspection Team completed the required 4th Quarter Chapter 6 - Division Level Inspection of Marin Area's Area Command Grant Management and Command Overtime records. The Area Commander, lieutenants, sergeants, and staff are actively involved in this program and ensure that all Area personnel overtime and grant overtime record keeping procedures are in place.

#### **FINDINGS REQUIRING FOLLOW-UP:**

Finding 1 – Agree. (a) Marin Area will brief personnel on the importance of reviewing their own schedules to ensure the correct number of days off within each FLSA period. (b) Area will reinstate a review process during the FLSA period, in order to ensure the correct number of days off have been taken or are projected. (c) A subsequent follow-up audit will be performed toward the end of the FLSA period to ensure FLSA overtime does not occur. (d) Changes to schedules will involve a confirmation that the correct numbers of days off are not impacted by the change. (e) Sergeants responsible for scheduling newly assigned Officers will confirm the days off and hours worked in the Officer's previous assignment. (f) Officers and Sergeants will be held accountable for instances of FLSA overtime.

Finding 2 – Agree (a) Marin Area will conduct a monthly review of CTO balances to identify personnel approaching or at the CTO hours accumulation limit. (b) Personnel will be briefed of the limit, their balances, and held accountable for overtime hours claimed as CTO, that they are not authorized to claim. (c) Sergeants will be held accountable for approving CTO time claimed for personnel who are ineligible to earn it.

Finding 3 – Agree (a) Marin Area Commander will ensure that the OSSI or Attendance Clerk provides the Monthly Attendance Report for the Commander's review and approval. (b) The Commander will arrange for the acting Commander to review and approve the report in the absence of the Commander.

Golden Gate Division Page 2 December 11, 2009

If you have any questions regarding this memorandum please contact Lieutenant D. Raleigh or Sergeant G. Osuna at (415) 924-1100.

R. J. MOREHEN, Captain

Commander

# **COMMAND INSPECTION PROGRAM** EXCEPTIONS DOCUMENT

Command:	Division:	Chapter:	
Marin	Golden Gate	ס	
Inspected by:		Date:	
Lt. C.M. Childs,	#13867	12/03/09	

uge 1 of 3

INSTRUCTIONS: This document shall be typed. Check appropriate boxes as necessary, or fill in the blanks as indicated. Enter the chapter number of the inspection in the Chapter Inspection number. Under "Forward to:" enter the next level of command where the document shall be routed to and its due date. This document shall be utilized to document innovative practices, suggestions for statewide improvement, identified deficiencies, corrective action plans. A CHP 51 Memorandum may be used if additional space is required.						
TYPE OF INSPECTION  Division Level Command Level  Executive Office Level		Total hours expended on the inspection: 6.0	•	☐ Corrective Action Plan Included☐ Attachments Included		
Follow-up Required:	Forwa					
☐ Yes	Due D	ate.	The State			
Chapter Inspection:	-,	Ne vestina Priese le	Ka ka k			
Inspector's Comments Regar	ding Ir	novative Practices:				
ommand Suggestions for Statewide Improvement:						
Inspector's Findings:						
Finding #1, Command Overtime: 43 instances of FLSA overages were noted, for a total of 348 hours paid at half time.						
Finding #2. Command Overtime: 15 instances of CTO overages were noted, for a total of 54.4 hours paid at overtime rate						
Finding #3: Command Overtime: The March 2008, October 2008, December 2008, March 2009 and April 2009 MARs were not signed by command personnel.						
Commander's Response: 🖂	Concu	r or 🗌 Do Not Concur (Do	Not Conc	ur shall document basis for response)		

### **COMMAND INSPECTION PROGRAM** FXCEPTIONS DOCUMENT

age 2 of 3

Command: Marin	Division: Golden Gate	Chapter:
Inspected by:		Date:
Lt. C.M. Childs, #13867		12/03/09

Inspector's Comments:	Shall address non concurrence by co	ommander (e.g., findin	gs revised, findings unchanged
etc.)			

#### **Required Action**

Corrective Action Plan/Timeline

- #1 (a) Marin Area will brief personnel on the importance of reviewing their own schedules to ensure the correct number of days off within each FLSA period. (b) Area will reinstate a review process during the FLSA period, in order to ensure the correct number of days off have been taken or are projected. (c) A subsequent follow-up audit will be performed toward the end of the FLSA period to ensure FLSA overtime does not occur. (d) Changes to schedules will involve a confirmation that the correct number of days off are not impacted by the change. (e) Sergeants responsible for scheduling newly assigned Officers will confirm the days off and hours worked in the Officer's previous assignment. (f) Officers and Sergeants will be held accountable for instances of FLSA overtime.
- #2 (a) Marin Area will conduct a monthly review of CTO balances to identify personnel approaching or at the CTO hours accumulation limit. (b) Personnel will be briefed of the limit, their balances, and held accountable for overtime hours claimed as CTO, that they are not authorized to claim. (c) Sergeants will be held accountable for approving CTO time claimed for personnel who are ineligible to earn it.
- #3 (a) Marin Area Commander will ensure that the OSSI or Attendance Clerk provides the Monthly Attendance Report for the Commander's review and approval. (b) The Commander will arrange for the acting Commander to review and approve the report in the absence of the Commander. (c) The Commander has reviewed and approved the Monthly Attendance Reports for the periods listed above, under Inspector's Findings.

# **COMMAND INSPECTION PROGRAM**FXCEPTIONS DOCUMENT

uge 3 of 3

Command: <b>Marin</b>	Division: Golden Gate	Chapter:	
Inspected by: Lt. C.M. Childs,	Date: 12/03/09		

Employee would like to discuss this report with the reviewer.  (See HPM 9.1, Chapter 8 for appeal procedures.)	COMMANDER'S SIGNATURE	DATE /10-09
	Church A	DATE 12128/39
Reviewer discussed this report with employee  Concur  Do not concur	REVIEWER'S SIGNATURE	DATE 1:15-10

#### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Overtime

Command:	Division:	Number:
Marin	Golden Gate	
Evaluated by:		Date:
Lt. C. M. Childs, #13867		12/03/09
Assisted by:	Date:	
Sgt. M. Lehman	, D. Silva	12/03/09

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TYPE OF INSPECTION		ector's Signati				
☐ Division Level ☐ Command Level	(	Complete				
☐ Executive Office Level ☐ Voluntary Self-Inspection	on					
Follow-up Required:	Command	Commander's Signature: Date				
Follow-up Inspection	1 /	12/03/09				
☐ Yes	100	/ Vell miles				
For applicable policies, refer to HPM 11.1, Chapter 6,						
HPM 40.71, Chapters 2, 8, and 10, HPM 10.5,						
C'apter 2, and HPM 10.3, Chapters 24 and 28.						
Note: If a "No" or "N/A" box is checked, the "Remarks" sec	tion shall be ur	shall be utilized for explanation				
Is the hiring company/agency for reimbursable	1017 011011 20 01	111200 101 0	planation			
overtime being held responsible for paying a		☐ No	□ N/A	Remarks:		
minimum of four hours of overtime per CHP						
uniformed employee, regardless of length of service/detail?						
Is a minimum of four hours overtime being allocate	d					
to each CHP uniformed employee(s) if cancellation		□No		Remarks:		
notification is made 24 hours or less prior to the						
scheduled detail and the assigned CHP uniformed						
employee(s) cannot be notified of such cancellation						
Are reimbursable special project codes being used  for all evertime appealated with reimbursable appeal			NI/A	Remarks:		
for all overtime associated with reimbursable speci- projects?	al 🛮 🖾 Yes	☐ No	□ N/A	, , , , , , , , , , , , , , , , , , , ,		
Is the commander ensuring nonuniformed personn	el					
overtime hours are not reflected on the Report of	⊠ Yes	□No	□ N/A	Remarks:		
Overtime Hours for Reimbursable Special Projects	?					
5. Is the commander ensuring non-reimbursable	N.V.			Remarks:		
overtime is not being claimed for an employee, other than Bargaining Unit 7, while on vacation or	er 🛛 🖾 Yes	☐ No	□ N/A	rtemants.		
compensated time off for hours worked during their						
regular work shift time?						
6. Is "RDO" being written in the "Notes" section of the						
CHP 415, Daly Field Record, for overtime worked of	on 🛮 🖾 Yes	☐ No	□ N/A	Remarks:		
a regular day off? 7. Is there a CHP 90, Report of Court Appearance -						
<ol> <li>Is there a CHP 90, Report of Court Appearance - Civil Action, completed for each officer or sergeant</li> </ol>	⊠ Yes	□No	□ N/A	Remarks:		
when overtime is associated for civil court?						

Page

STATE OF CALIFORNIA
PEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### )MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

p					
8.	employee's lunch period or indicate "None" if the employee worked through their lunch break?	⊠ Yes	□No	□ N/A	Remarks:
9.	Did the supervisor sign the CHP 415s approving the overtime?	⊠ Yes	□No	□ N/A	Remarks:
	<ul> <li>Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?</li> </ul>	⊠ Yes	□No	□ N/A	Remarks:
	. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	⊠ Yes	□No	□ N/A	Remarks:
	Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	⊠ Yes	□No	□ N/A	Remarks:
13.	Are employee's Compensated Time Off hours maintained within reasonable balances?	☐ Yes	⊠ No	□ N/A	Remarks: 15 instances of CTO overages were noted, resulting in 54.4 hours of paid overtime
14.	Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	Yes	⊠ No	□ N/A	Remarks: 43 instances of FLSA hour overages were noted, resulting in 348 hours paid at half time rate
15.	Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	⊠ Yes	□No	□ N/A	Remarks:
16.	Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	⊠ Yes	☐ No	□ N/A	Remarks:
17.	Are the MARs retained for at least three years and contain the commander's signature?	☐ Yes	⊠ No	□ N/A	Remarks: Five MARs were not signed by command personnel in the last 12 months

#### DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Grant Management

Command: Marin	Division: Golden Gate	Number:	
Evaluated by:		Date:	4
Lt. C.M. Childs, #1867		12/03/09	
Assisted by:		Date:	
Sgt. M. Lehman,	12/03/09		

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy. applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected. Lead Inspector's Signature: TYPE OF INSPECTION □ Division Level Command Level Commander's Signature: ☐ Executive Office Level 
 □ Voluntary Self-Inspection Follow-up Required: Date: ☐ Follow-up Inspection 12/03/09 Yes  $\bowtie$  No For applicable policy, refer to: GO 40.6 e: If a "No" or "N/A" box is checked, the "Remarks" section shall be utilized for explanation. If the commander became aware that another. agency or organization is proposing or has submitted □ No □ N/A Remarks: a grant application to a funding agency other than the Office of Traffic Safety (OTS) that appears to focus on traffic safety goals clearly within the jurisdiction of the Department, did the commander notify the appropriate assistant commissioner? 2. Has OTS grant funding, through the Highway Safety Plan, been sought for traffic safety-related activities ☐ Yes □ No ⊠ N/A Remarks: Marin Area did not for the purpose of conducting inventories, need and apply for any grants in the last engineering studies, system development or program year. implementations? 3. Has the command sought grant funding to assist with the expenses associated with the priority programs ☐ Yes □ No ⊠ N/A Remarks: identified by the National Highway Traffic Safety Same as Question #2 Administration? 4. Has the commander ensured grant funds are not being reallocated to fund other programs or used for ☐ Yes □No ⊠ N/A Remarks: non-reimbursable overtime expenditures? Same as Question #2 5. Are concept papers regarding grant funding submitted through channels to Grants Management ☐ Yes □No ⊠ N/A Remarks: Unit (GMU)? Same as Question #2 Was GMU contacted to determine the current

☐ Yes

□ No

N/A

Remarks:

personnel billing rates used for grant projects when

preparing concept paper budgets?

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

	7. Is supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	☐ Yes	□No	⊠ N/A	Remarks: Same as Question #2
	8. Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	☐ Yes	□No	⊠ N/A	Remarks: Same as Question #2
	9. Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	☐ Yes	□No	⊠ N/A	Remarks: Same as Question #2
	10. Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	☐ Yes	□ No	⊠ N/A	Remarks: Same as Question #2
	11. Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	⊠ Yes	□No	□ N/A	Remarks:
_	12. Are all requirements of the grant agreement and MOU being met?	⊠ Yes	□No	□ N/A	Remarks:
	13. Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	⊠ Yes	□No	□ N/A	Remarks:
	Does every invoice associated with a grant funded project contain the project number and name?	☐ Yes	□No	⊠ N/A	Remarks: Same as Question #2
	15. Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	☐ Yes	□No	⊠ N/A	Remarks: Same as Question #2
	16. Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	⊠ Yes	☐ No	□ N/A	Remarks:
	<ul> <li>17. Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?</li> <li>This would include any of the following: <ul> <li>Applications for federal funds which are not included in the budget approved by the Governor.</li> <li>Applications for federal funds which exceed the amount specified in the budget</li> </ul> </li> </ul>	☐ Yes	□ No	⊠ N/A	Remarks: Same as Question #2

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

18. Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
19. Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	Yes	□No	⊠ N/A	Remarks: Applies to GMU
20. Are grant funds being used for their intended purpose?	⊠ Yes	□No	□ N/A	Remarks:
21. Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
22. Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
Questions 23 through 26 pertain to the Grants Managemer	nt Unit			
23. Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?	☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
24. Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive Assistants?	☐ Yes	□ No	⊠ N/A	Remarks: Applies to GMU
25. Did GMU route copies of the Draft Grant Agreement using the CHP Form 60, Staff Summary Statement, to all commands with responsibility for or that have an interest in the project?	☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
26. Was a Memorandum of Understanding between involved commands outlining the responsibilities of each command prepared and distributed by GM I2	☐ Yes	☐ No	⊠ N/A	Remarks:

#### Memorandum

Date:

December 23, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Santa Rosa Area

File No.:

360.9763.14406

Subject:

CHAPTER 6 INSPECTION

On December 3, 2009, Lt. Chris Childs, #13867, Sgt. Mike Lehman, #16422, and AGPA Dee Silva, #A8970, conducted a Division Level Chapter 6 Inspection of the Santa Rosa Area. The Inspection Team conducted a pre-inspection interview with Captain Young of the Santa Rosa Area in which the methodology for the inspection was explained. All inspected items were noted on the CHP 680P, Checklist for Command Overtime and Command Grant Management. The CHP 680A, Exceptions Document was utilized to document two separate findings needing Corrective Action. Additionally, the Santa Rosa Area utilized the 680A to document its Corrective Action Plan and timeframes.

The Inspection Team was extremely knowledgeable regarding the inspection process and was able to effectively relay all needed information. Please contact Sergeant Robert Mota or Lt. Eric Rozenoff if you have any further questions.

K. R. YOUNG, Captain

Commande

# **COMMAND INSPECTION PROGRAM**"XCEPTIONS DOCUMENT

age 1 of 3

Command:	Division:	Chapter:
Santa Rosa	Golden Gate	6
Inspected by:		Date
Lt. C.M. Childs	s, #13867	12/03/2009

age 1013					
	Inspection docume	on number. Under "Forwent shall be utilized to doc	ard to:" enter the nex ument innovative pra		
TYPE OF INSPECTION  ☑ Division Level ☐ Command Level ☐ Executive Office Level		Total hours expended inspection:	d on the	<ul><li>☑ Corrective Action Plan Included</li><li>☐ Attachments Included</li></ul>	
Follow-up Required:	Forwa	rd to: ate: 12/31/2009			
Chapter Inspection: Inspector's Comments Regarding Innovative Practices:					
Command Suggestions for St	atewio	de Improvement:			
resulting in 190.2 hours paid a	t an ov	vertime rate.		ve balance maximum were noted, e noted, resulting in 323 hours	
Commander's Response: ⊠	Concu	ır or □ Do Not Cor	cur (Do Not Cond	cur shall document basis for response)	
concur with both Findings by					
Inspector's Comments: Shall a etc.)	address	non concurrence by c	ommander (e.g., fi	indings revised, findings unchanged,	

N/A

### COMMAND INSPECTION PROGRAM

**FXCEPTIONS DOCUMENT** 

, age 2 of 3

Command: Santa Rosa	Division: Golden Gate	Chapter:	
Inspected by:		Date	
Lt. C.M. Childs	, #13867	12/03/2009	

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Required Action		
		是常是 多效性學科學學
Corrective Action Plan/Timeline		

#### ALL CORRECTIVE ACTION PLAN CONTROL MEASURES WILL BE IMPLEMENTED IMMEDIATELY

Finding # 1: Command Overtime: 32 instances of CTO exceeding leave balance maximum were noted, resulting in 190.2 hours paid at an overtime rate.

The Santa Rosa Area concurs with this finding and will correct this issue by implementing several control measures:

- 1). A briefing item will be developed immediately and placed in the Shift Daily Briefing Book reminding all Officers and Sergeants that Exceeding CTO Leave Balance Maximums is not acceptable. Additionally, the Briefing Item will educate uniformed personnel that exceeding Maximum CTO Balances causes the excess hours to immediately convert to Paid Overtime.
- 2). All violations of this briefing item will be closely scrutinized by the shift supervisor.
- 3). Area will identify all uniformed employees with Maximum CTO Leave Balances and require the reduction of CTO time banks, when the opportunity arises, per Bargaining Unit 5 MOU.
- 4). Managerial/Supervisory Staff will monitor the MIS Pay Reports for any CTO to Paid Overtime conversion incidents.

Finding #2: Command Overtime: 50 instances of FLSA overages were noted, resulting in 323 hours paid at a half time rate.

The Santa Rosa Area concurs with this finding and will correct this issue by implementing several control measures:

- 1). Increased Managerial/Supervisory oversight of quarterly scheduling to ensure that Uniformed Personnel are working there scheduled days/hours during the 28 day FLSA period. (For Example, working twelve 12 hour days and two 8 hour days within FLSA period).
- 2). Managerial/Supervisory Verification that the Santa Rosa Area 415 Clerk and Alternate is ensuring that all uniformed personnel are modifying the 415 system to indicate that they have worked the required two 8 hour days during the FLSA Period.
- 5). Documentation and appropriate action will be taken against repeat offenders who do not comply with FLSA / CTO control measures.

### COMMAND INSPECTION PROGRAM

### EXCEPTIONS DOCUMENT

age 3 of 3

Command: Santa Rosa	Division: Golden Gate	Chapter:	
Inspected by:	<del></del>	Date	
Lt. C.M. Childs,	#13867	12/03/2009	

Employee would like to discuss this report with the reviewer.  (See HPM 9.1, Chapter 8 for appeal procedures.)	COMMANDER'S SIGNATURE	DATE 12/29/09
	INSPECTOR'S SIGNATURE	DATE 12/29/09
Reviewer discussed this report with employee  Concur   Do not concur	REVIEWERS SIGNATURE	1-15-16

### JOMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Command: Santa Rosa			
Evaluated by:		Date:	
Lt. C.M. Childs	12/03/09		
Assisted by:	Date:		
Sgt. M. Lehma	12/03/09		

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.							
TYPE OF INSPECTION		Lead Inspe	ctor's Signatu	ıre:			
☐ Division Level ☐ Command Level		Can	nzal	lu			
☐ Executive Office Level ☐ Voluntary Self-Insp	ection	Ger 1.					
Follow-up Required:	ation	Commande	er's Signature	:		Date	
☐ Follow-up Inspe	ction	Ku	ucy	· Je		12/3/09	
For applicable policies, refer to HPM 11.1, Chapter HPM 40.71, Chapters 2, 8, and 10, HPM 10.5, hapter 2, and HPM 10.3, Chapters 24 and 28.	er 6,		0	1	0		
Note: If a "No" or "N/A" box is checked, the "Remarks"	section	shall be ut	ilized for ex	xplanation		hour of an	
<ol> <li>Is the hiring company/agency for reimbursable overtime being held responsible for paying a minimum of four hours of overtime per CHP uniformed employee, regardless of length of service/detail?</li> </ol>		⊠ Yes	□ No	□ N/A	Remarks:		
<ol> <li>Is a minimum of four hours overtime being allo to each CHP uniformed employee(s) if cancella notification is made 24 hours or less prior to the scheduled detail and the assigned CHP uniforn employee(s) cannot be notified of such cancell</li> </ol>	ation e ned	⊠ Yes	☐ No	□ N/A	Remarks:		
<ol> <li>Are reimbursable special project codes being used for all overtime associated with reimbursable sprojects?</li> </ol>		⊠ Yes	□No	□ N/A	Remarks:		
<ol> <li>Is the commander ensuring nonuniformed persovertime hours are not reflected on the Report Overtime Hours for Reimbursable Special Project</li> </ol>	of	⊠ Yes	□No	□ N/A	Remarks:		
5. Is the commander ensuring non-reimbursable overtime is not being claimed for an employee, than Bargaining Unit 7, while on vacation or compensated time off for hours worked during regular work shift time?	their	⊠ Yes	□ No	□ N/A	Remarks:		
6. Is "RDO" being written in the "Notes" section of CHP 415, Daly Field Record, for overtime work a regular day off?		⊠ Yes	□No	□ N/A	Remarks:		
7. Is there a CHP 90, Report of Court Appearance Civil Action, completed for each officer or serge when overtime is associated for civil court?		⊠ Yes	□ No	□ N/A	Remarks:		

### JOMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

8.	Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	⊠ Yes	☐ No	□ N/A	Remarks:
9.	Did the supervisor sign the CHP 415s approving the overtime?	⊠ Yes	□No	□ N/A	Remarks:
	Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	⊠ Yes	□No	□ N/A	Remarks:
	If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	⊠ Yes	☐ No	□ N/A	Remarks:
	Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	⊠ Yes	☐ No	□ N/A	Remarks:
	Are employee's Compensated Time Off hours maintained within reasonable balances?	☐ Yes	⊠ No	□ N/A	Remarks: 32 instances were noted which resulted in 190.2 hours paid at overtime rate
	Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	⊠ No	□ N/A	Remarks: 50 instances were noted which resulted in 323 hours paid at half time
15,	Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	⊠ Yes	□ No	□ N/A	Remarks:
16.	Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	⊠Yes	☐ No	□ N/A	Remarks:
17.	Are the MARs retained for at least three years and contain the commander's signature?	⊠ Yes	□No	□ N/A	Remarks:

### JOMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

Command: Santa Rosa	Division: Golden Gate	Number:
Evaluated by: Lt. C. M. Childs, #13867		Date: 12/03/09
Assisted by: Sgt. M. Lehman, D. Silva		Date: 12/03/09

applical discrep Further	ble legal statues, or deficienci ancies and/or deficiencies sha more, the Exceptions Docume	items with "Yes" or "No" answers es noted in the inspections shall all be documented on an Excepti ent shall include any follow-up an " box shall be marked and only d	be commen ons Docume ad/or correct	ited on via ti ent and addi ive action(s)	ne "Remark ressed to th ) taken. If t	ks" section. Additionally, such ne next level of command. his form is used as a Follow-up
TYPE O	F INSPECTION		Lead Inspe	ctor's Signatu	ıre:	
1		□ 0- ·· ·· 11 - · · · 1	100		/	
☐ Division Level ☐ Command Level			(ar	myla	len	
☐ Executive Office Level ☐ Voluntary Self-Inspection						
Fo	llow-up Required:	Follow-up Inspection	Commande	er's <b>Sig</b> nature	:	Date.
	] Yes ⊠ No		The	ce	yo	12/03/09
	] 103			1	1	
For ap	For applicable policy, refer to: GO 40.6			0/		
)				U		
1ste: 1		ecked, the "Remarks" section	shall be ut	ilized for e	xplanation	: Trukibi. Lausee kuuti (1.01. el T
1.5	<ol> <li>If the commander became aware that another agency or organization is proposing or has submitted a grant application to a funding agency other than the Office of Traffic Safety (OTS) that appears to focus on traffic safety goals clearly within the jurisdiction of the Department, did the commander notify the</li> </ol>			∏No	□ N/A	Remarks:
	appropriate assistant com					
2.		hrough the Highway Safety				
		fic safety-related activities	☐ Yes	☐ No	⊠ N/A	Remarks: Santa Rosa Area
		eting inventories, need and em development or program				did not apply for any grants
	implementations?	sin development of program				
3.		t grant funding to assist with				
	the expenses associated identified by the National	with the priority programs	☐ Yes	∐ No	⊠ N/A	Remarks: Same as question #2
	Administration?	riigiiway Trailic Salety				#2
4.	Has the commander ensu		_			
		other programs or used for	⊠ Yes	☐ No	□ N/A	Remarks:
5.	non-reimbursable overtim Are concept papers regar				-	
0.		els to Grants Management	│	□No	⊠ N/A	Remarks: Same as question
	Unit (GMU)?					#2
6.	Was GMU contacted to de		Yes	□No	  ⊠ N/A	Remarks: Same as question
	preparing concept paper I	ed for grant projects when oudgets?		☐ MO	MINA	#2

### OMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

onsent and or services provided government agency al Regulations Part r all grant projects	☐ Yes	□ No	⊠ N/A	Remarks: Same as question #2
ect agreements, ned by the Project ?	☐ Yes	□No	⊠ N/A	Remarks: Same as question #2
r contacts with grant ocessed through	☐ Yes	□No	⊠ N/A	Remarks: Same as question #2
ons, with the	☐ Yes	☐ No	⊠ N/A	Remarks: Same as question #2
with the instructions ect MOU?	⊠ Yes	□No	□ N/A	Remarks:
agreement and	⊠ Yes	□No	□ N/A	Remarks:
pared in accordance artmental on of the grant	⊠ Yes	□No	□ N/A	Remarks:
ith a grant funded er and name?	☐ Yes	□No	⊠ N/A	Remarks: Same as question #2
d equipment beeding a unit cost an Equipment	☐ Yes	□ No	⊠ N/A	Remarks: Same as question #2
n inspected to dance with the	⊠ Yes	☐ No	□ N/A	Remarks:
in accordance with including obtaining Finance and/or the sion to the owing: unds which are not oproved by the unds which exceed	☐ Yes	□ No	⊠ N/A	Remarks: Same as question #2
	or services provided government agency al Regulations Part rall grant projects  ect agreements, need by the Project rece concerning the rontacts with grant poessed through with the instructions of MOU? agreement and pared in accordance artmental in of the grant project and name?  If equipment the grant receding a unit cost an Equipment and rance with the inspected to rance and/or the son to the proved by the	or services provided government agency al Regulations Part r all grant projects  ect agreements, need by the Project ence concerning the r contacts with grant present the provided though with the instructions of MOU? agreement and end of the grant end er and name?  If equipment end	or services provided government agency al Regulations Part r all grant projects  cet agreements, need by the Project ?  cence concerning the r contacts with grant possessed through sapproved by GMU ons, with the coessed through with the instructions of the Grant of	or services provided povernment agency al Regulations Part r all grant projects  cot agreements, and by the Project Pr

### OMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

18.	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	☐ No	⊠ N/A	Remarks: Applies to GMU
	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
20,	Are grant funds being used for their intended purpose?	⊠ Yes	□ No	□ N/A	Remarks:
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□ No	⊠ N/A	Remarks: Applies to GMU
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
Questi	ons 23 through 26 pertain to the Grants Managemen	t Unit	NAME OF BRIDE		STATE OF STREET
23.	Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?	☐ Yes	□No	⊠ N/A	Remarks: Applies to GMU
24.	Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive Assistants?	☐ Yes	☐ No	⊠ N/A	Remarks: Applies to GMU
25.	Did GMU route copies of the Draft Grant Agreement using the CHP Form 60, Staff Summary Statement, to all commands with responsibility for or that have an interest in the project?	☐ Yes	□ No	⊠ N/A	Remarks: Applies to GMU
26.	Was a Memorandum of Understanding between involved commands outlining the responsibilities of each command prepared and distributed by GMU?	Yes	☐ No	⊠ N/A	Remarks: Applies to GMU

#### Memorandum

Date:

December 13, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Solano Area

File No.:

365.14402

Subject:

RESPONSE TO DRAFT COMMAND RECRUITMENT AND APPLICATIONS

PROCESS INSPECTION REPORT

This memorandum is intended to serve as the written response to the draft Command Overtime and Grant Management inspection report by Golden Gate Division as required.

All findings by the inspection team were minor in nature and have been immediately addressed and resolved at the Area. No follow-up is required.

Questions regarding this response may be directed to Lieutenant Zachary Johnson at (707) 428-2100.

S. K. WARD, Captain

Commander

## **COMMAND INSPECTION PROGRAM** EXCEPTIONS DOCUMENT

ge 1 of 2

Command:	Division:	Chapter:
Solano	Golden Gate	6
Inspected by:	*	Date:
Lt. C. Childs	11/19/09	

<u> </u>							
INSTRUCTIONS: This document shall be number of the inspection in the Chapter shall be routed to and its due date. This improvement, identified deficiencies, con	Inspecti docume	on number. Under "Forwent shall be utilized to do	ard to:" enter the nex cument innovative pr				
TYPE OF INSPECTION  Division Level Command L  Executive Office Level	Total hours expende inspection:	d on the	<ul><li>☑ Corrective Action Plan Included</li><li>☐ Attachments Included</li></ul>				
Follow-up Required: ☐ Yes ☑ No	Forwa						
Chapter Inspection:				THE PART HAVE BEEN AS TO SEE THE PART OF T			
Inspector's Comments Regar	ding l	anavativa Practicos					
Command Suggestions for S							
Inspector's Findings:							
During the inspection, the follo Finding #1 (question #13, Con overtime, resulting in 46.5 hou	nmand	Overtime): 2 mon		O hours rolled over to paid			
Finding #2 (question #13, Command Overtime): 33 Instances of FLSA overages resulting in 256 paid hours							
Finding #3 (question #17, Command Overtime): The March 2009 Monthly Attendance Report was not signed by a member of the command staff.							
Commander's Response:	Concu	ır or 🗌 Do Not Con	cur (Do Not Cond	ur shall document basis for response)			

## **COMMAND INSPECTION PROGRAM**EXCEPTIONS DOCUMENT

age 2 of 2

Command Solano	Division: Golden Gate	Chapter:	
Inspected by: Lt. C. Childs, #	13867	Date: 11/19/09	

nspector's Comments:	Shall address non concurrence by commander (e.g., findings revised, findings unchanged,
etc.)	

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Required Action	selie relievanje s			4.5% yeb.	
Corrective Action Plan/Timeline			6		

Effective Immediately:

Area will ensure that all Monthly Attendance Reports are reviewed and signed by a member Area management.

Area will continue to aggressively monitor all FLSA hours and pay close attention to officers who transfer to the Area and/or change from an alternate work week due to injury/limited duty status, etc.

Area managers and supervisors will require all employees to maintain their CTO balances at a reasonable amount below maximum.

Employee would like to discuss this report with	COMMANDER'S SIGNATURE	DATE
the reviewer. (See HPM 9.1, Chapter 8 for appeal procedures.)	Dur l	10/23/09
	INSPECTOR'S SIGNATURE	DATE 11/19/2009
Reviewer discussed this report with employee  Do not concur	REVIEWER SIGNATURE	1-15-10
Concur Do not concur	da.	1.510

Page

STATE OF CALIFORNIA
PEPARTMENT OF CALIFORNIA HIGHWAY PATROL

## MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

Command:	Division:	Number:
Solano	Golden Gate	366
Evaluated by:	Date:	
Lt. C. Childs, #1	11/19/2009	
Assisted by:	Date:	
Sgt. M. Lehman	11/19/2009	

INSTRUCTIONS: Answer individual items with "Yes" or "No" answe applicable legal statues, or deficiencies noted in the inspections shall discrepancies and/or deficiencies shall be documented on an Exceptive Furthermore, the Exceptions Document shall include any follow-up a Inspection, the "Follow-up Inspection" box shall be marked and only	I be commer tions Documand/or correct	nted on via t ent and add tive action(s	he "Remarl ressed to tl ) taken. If t	ks" section. he next level this form is u	Additionally, such of command.
	T	. 1 0: /			
TYPE OF INSPECTION	Lead Inspe	ector's Signati	ure:		
	20				
	Ch	mylal	an		
Executive Office Level	Commande	er's Signature	M:		Date:
Follow-up Inspection					11/19/2009
☐ Yes       No	-h	on Dan	in for/2	17-C	11/19/2009
For applicable policy, refer to: GO 40.6					
<ul><li>e: If a "No" or "N/A" box is checked, the "Remarks" section</li><li>1. If the commander became aware that another</li></ul>	shall be ut	ilized for e	xplanation		
agency or organization is proposing or has submitted	⊠ Yes	☐ Yes ☐ No ☐ N/A Remarks:			
a grant application to a funding agency other than the					
Office of Traffic Safety (OTS) that appears to focus					
on traffic safety goals clearly within the jurisdiction of the Department, did the commander notify the					
appropriate assistant commissioner?					
2. Has OTS grant funding, through the Highway Safety			N NI/A		
Plan, been sought for traffic safety-related activities for the purpose of conducting inventories, need and	Yes	☐ No	⊠ N/A	1	Solano Area did not a grant in the last 12
engineering studies, system development or program				months	a grant in the last 12
implementations?					
3. Has the command sought grant funding to assist with the expenses associated with the priority programs	Yes		N/A	Domorko	Same as #2
identified by the National Highway Traffic Safety	☐ res	│	M IN/A	Remarks.	Same as #2
Administration?					
4. Has the commander ensured grant funds are not	571.4	<b>—</b>			
being reallocated to fund other programs or used for non-reimbursable overtime expenditures?	⊠ Yes	☐ No	□ N/A	Remarks:	
Are concept papers regarding grant funding					
submitted through channels to Grants Management	☐ Yes	☐ No	⊠ N/A	Remarks:	Same as #2
Unit (GMU)?					
Was GMU contacted to determine the current personnel billing rates used for grant projects when	Yes	□No	⊠ N/A	Remarks:	Same as #2
preparing concept paper budgets?				, torrianto.	Canno do 112

## )MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

7. Is supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	☐ Yes	□ No	⊠ N/A	Remarks: Same as #2
Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
9. Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
10. Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
11. Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	⊠ Yes	□No	□ N/A	Remarks:
12. Are all requirements of the grant agreement and MOU being met?	⊠ Yes	☐ No	□ N/A	Remarks:
13. Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
Does every invoice associated with a grant funded project contain the project number and name?	⊠ Yes	□No	□ N/A	Remarks:
15. Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	☐ Yes	☐ No	⊠ N/A	Remarks: Same as #2
16. Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	⊠ Yes	□No	□ N/A	Remarks:
<ul> <li>17. Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?  This would include any of the following: <ul> <li>Applications for federal funds which are not included in the budget approved by the Governor.</li> <li>Applications for federal funds which exceed the amount specified in the budget</li> </ul> </li> </ul>	☐ Yes	□No	⊠ N/A	Remarks: Same as #2

## MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

18.	Federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	Yes	□No	□ N/A	Remarks: Same as #2
19.	. Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
20.	Are grant funds being used for their intended purpose?	⊠ Yes	☐ No	□ N/A	Remarks:
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
	subilitied to the fullding agency:				
Questi	ons 23 through 26 pertain to the Grants Managemen	t Unit		. Diding	
		t Unit	□ No	⊠ N/A	Remarks: Same as #2
23.	ons 23 through 26 pertain to the Grants Managemen Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway		□ No	⊠ N/A	Remarks: Same as #2  Remarks: Same as #2
23.	ons 23 through 26 pertain to the Grants Management Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	☐ Yes			×

## )MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Command: Division: Golden Gate		Number: 366	
Evaluated by: Lt. C. Childs, #1	Date: 11/19/2009		
Assisted by: Sgt. M. Lehman	Date: 11/19/2009		

INSTRUCTIONS: Answer individual items with "Yes" or "No" answer applicable legal statues, or deficiencies noted in the inspections shall discrepancies and/or deficiencies shall be documented on an Except Furthermore, the Exceptions Document shall include any follow-up at Inspection, the "Follow-up Inspection" box shall be marked and only of	be commen ions Docume nd/or correct	ited on via thent and addr ive action(s)	ne "Remark essed to th taken. If t	s" section. A le next level his form is us	Additionally, such of command.
TYPE OF INSPECTION	Lead Inspe	ctor's Signatu	ire:		
☐ Command Level	Can	male	u_		
Executive Office Level Voluntary Self-Inspection		er's Signature			Date:
Follow-up Required:     Follow-up Inspection   Follow-up Inspection	Shon	Harris	fr/22-c		11/19/2009
For applicable policies, refer to HPM 11.1, Chapter 6, HPM 40.71, Chapters 2, 8, and 10, HPM 10.5, Chapter 2, and HPM 10.3, Chapters 24 and 28.			1 8	4	
Note: If a "No" or "N/A" box is checked, the "Remarks" section	shall be ut	ilized for ex	planation		
<ol> <li>Is the hiring company/agency for reimbursable overtime being held responsible for paying a minimum of four hours of overtime per CHP uniformed employee, regardless of length of service/detail?</li> </ol>	⊠ Yes	□ No	□ N/A	Remarks:	-
2. Is a minimum of four hours overtime being allocated to each CHP uniformed employee(s) if cancellation notification is made 24 hours or less prior to the scheduled detail and the assigned CHP uniformed employee(s) cannot be notified of such cancellation?	⊠ Yes	□ No	□ N/A	Remarks:	
<ol> <li>Are reimbursable special project codes being used for all overtime associated with reimbursable special projects?</li> </ol>	⊠ Yes	☐ No	□ N/A	Remarks:	
4. Is the commander ensuring nonuniformed personnel overtime hours are not reflected on the Report of Overtime Hours for Reimbursable Special Projects?	⊠ Yes	□No	□ N/A	Remarks:	
5. Is the commander ensuring non-reimbursable overtime is not being claimed for an employee, other than Bargaining Unit 7, while on vacation or compensated time off for hours worked during their regular work shift time?	⊠ Yes	□No	□ N/A	Remarks:	
6. Is "RDO" being written in the "Notes" section of the CHP 415, Daly Field Record, for overtime worked on a regular day off?	⊠ Yes	□No	□ N/A	Remarks:	
7. Is there a CHP 90, Report of Court Appearance - Civil Action, completed for each officer or sergeant	⊠ Yes	□No	□ N/A	Remarks:	

## MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

8. Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	⊠ Yes	□No	□ N/A	Remarks:
9. Did the supervisor sign the CHP 415s approving the overtime?	⊠ Yes	□No	□ N/A	Remarks:
10. Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	⊠ Yes	□No	□ N/A	Remarks:
11. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	⊠ Yes	□No	□ N/A	Remarks:
12. Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	⊠ Yes	☐ No	□ N/A	Remarks:
13. Are employee's Compensated Time Off hours maintained within reasonable balances?	☐ Yes	⊠ No	□ N/A	Remarks: During two pay periods, 46.5 hours were converted to payed overtime
14. Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	⊠ No	□ N/A	Remarks: 33 Instances for 256 hours paid during the 13-pay periods
15. Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	⊠ Yes	□No	□ N/A	Remarks:
16. Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	⊠ Yes	□No	□ N/A	Remarks:
17. Are the MARs retained for at least three years and contain the commander's signature?	⊠ Yes	□No	□ N/A	Remarks: The March 2009 MAR wasn't signed by Solano Area

#### Memorandum

Date:

December 10, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Cordelia Inspection Facility

File No.:

366.11076

Subject:

RESPONSE TO DRAFT COMMAND OVERTIME INSPECTION REPORT

This memorandum is intended to serve as the written response to the draft command overtime inspection report of Cordelia Inspection Facility dated November 19, 2009.

#### **FINDINGS REQUIRING FOLLOW UP:**

There were no findings requiring follow up.

M. A. FERRELL, Lieutenant

Commander

### COMMAND INSPECTION PROGRAM **FXCEPTIONS DOCUMENT**

Command: Cordelia IF	Division: Golden Gate	Chapter:
Inspected by:		Date:
Lt. C. Childs, #13867		11/19/09

. age 1 of 2

	Inspection documents	on number. Under "Forwa ent shall be utilized to doc	ard to:" enter the nex ument innovative pra	Il in the blanks as indicated. Enter the chapter at level of command where the document actices, suggestions for statewide a used if additional space is required.
TYPE OF INSPECTION  Division Level  Command Level		Total hours expended inspection:	d on the	Corrective Action Plan Included
Executive Office Level		7.0		Attachments Included
Follow-up Required:	Forwa	rward to:		
☐ Yes	Due D	ate:		
Chapter Inspection:		1 - 10 - 1		
Inspector's Comments Regar	dina Ir	novative Practices		
Command Suggestions for S	tatewic	de Improvement:		
Develop a real-time report of F	FLSA b	palances for each e	mployee using	the automated 415 system.
Inspector's Findings:				-
	on Fac	cility has had 12-ho	ur shifts for sor	me time now. Their scheduling,

tracking and monitoring or 12-hour shifts is ahead of many areas.

During the inspection, the following discrepancies were noted:

Finding #1 (question #13, Command Overtime): 5 instances of CTO hours rolled over to paid overtime, resulting in 25.65 hours paid

Finding #2 (question #13, Command Overtime): 5 Instances of FLSA overages resulting in 9 paid hours

# **COMMAND INSPECTION PROGRAM**FXCEPTIONS DOCUMENT

. uge 2 of 2

Command:	Division:	Chapter:
Cordelia IF	Golden Gate	6
Inspected by:	Date:	
Lt. C. Childs, #1	11/19/09	

Commander's Response: ⊠ Concur or ☐ Do Not Concur (Do Not Concur shall docum	nent basis for response)
Finding #1: <b>Agree</b> . Employees nearing their CTO cap, are required to 1) closely meet with the time keeper to ensure there is a complete understanding of their baccumulation during the period, and 3) to develop a usage plan, if applicable. Additional keeper and the commander review balances each month.	onitor their balance, palance and possible
Finding #2: <b>Agree</b> . FLSA takes constant monitoring. We have implemented a conschedule (Excel spreadsheet) that provides the Area with a real-time balance of hor FLSA period to prevent overages. If the user makes an entry that causes the balance, the balance is flagged in red and no update can be made. Additionally, the required to review each officer's current and projected FLSA balance at mid-FLSA scheduling supervisor. If there are any anticipated overages, the scheduling super action to prevent them.	ours worked in the nce to exceed 170.5 time keeper is period with the
Inspector's Comments: Shall address non concurrence by commander (e.g., findings revised etc.)	I, findings unchanged,
Required Action	
Corrective Action Plan/Timeline	
Employee would like to discuss this report with the reviewer.  (See HPM 9.1, Chapter 8 for appeal procedures.)	DATE 12.10-09
INSPECTOR'S SIGNATURE	DATE 11/19/2009 12/17/09
Reviewer discussed this report with REVIEWER'S SIGNATURE	DATE
èmployee	1-15-10

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

Command:	Division:	Number;		
Cordelia IF Golden Gate		366		
Evaluated by:	Date:			
Lt. C. Childs, #1	11/19/2009			
Assisted by:	Date:			
Sgt. M. Lehman	11/19/2009			

applica discrep Further	ble legal statues, or deficienci ancies and/or deficiencies shamore, the Exceptions Docume	items with "Yes" or "No" answers ies noted in the inspections shall all be documented on an Excepti ent shall include any follow-up an " box shall be marked and only d	be commer ons Docume id/or correct	ited on via thent and addition and addition and addition and addition (si	ne "Remark ressed to th ) taken. If t	ks" section. And the next level which the section is the section in the section is used to be section. And the section is the section is the section is the section in the section is the section in the section. And the section is the section in the section is the section in the section in the section in the section is the section in the section in the section in the section in the section is the section in th	Additionally, such of command.	
TYPE O	F INSPECTION		Lead Inspe	ctor's Signatu	ıre:			
	ision Level	□ Camana and Laval						
	ISION Level	Command Level	6	myla	len			
	ecutive Office Level	☐ Voluntary Self-Inspection		and a				
Fo	llow-up Required:		Commande	er's Signature	:		Date:	
		☐ Follow-up Inspection		_ 0	1	•	11/19/2009	
	Yes 🛛 No		m.	0.1	June	el		
For applicable policy, refer to: GO 40.6								
		ecked, the "Remarks" section	shall be ut	ilized for ex	xplanation			
1.	a grant application to a fu Office of Traffic Safety (C	proposing or has submitted unding agency other than the DTS) that appears to focus	⊠ Yes	□No	□ N/A	Remarks:		
	the Department, did the cappropriate assistant con	nmissioner?						
2.	Plan, been sought for traffor the purpose of conducting engineering studies, systemplementations?	hrough the Highway Safety ffic safety-related activities cting inventories, need and em development or program	☐ Yes	☐ No	⊠ N/A		Cordelia IF did not a grant in the last 12	
3.	the expenses associated identified by the National Administration?		☐ Yes	□No	⊠ N/A	Remarks:	Same as #2	
4.	non-reimbursable overtim	other programs or used for expenditures?	⊠ Yes	□No	□ N/A	Remarks:		
5.	Unit (GMU)?	els to Grants Management	☐Yes	□No	⊠ N/A	Remarks:	Same as #2	
6.	Was GMU contacted to depersonnel billing rates use preparing concept paper	ed for grant projects when	☐ Yes	□No	⊠ N/A	Remarks:	Same as #2	

STATE OF CALIFORNIA

CALIFORNIA HIGHWAY PATROL

### JMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

	7.	acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
	8.	Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
	9.	Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
		Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
		Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	⊠ Yes	□No	□ N/A	Remarks:
_	1	Are all requirements of the grant agreement and MOU being met?	⊠ Yes	☐ No	□ N/A	Remarks:
	13.	Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	☐ Yes	☐ No	⊠ N/A	Remarks: Same as #2
	14.	Does every invoice associated with a grant funded project contain the project number and name?	⊠ Yes	□No	□ N/A	Remarks:
		Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	☐ Yes	☐ No	⊠ N/A	Remarks: Same as #2
		Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	⊠ Yes	☐ No	□ N/A	Remarks:
	17.	Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?  This would include any of the following:  • Applications for federal funds which are not included in the budget approved by the Governor.  • Applications for federal funds which exceed the amount specified in the budget	☐ Yes	□ No	⊠ N/A	Remarks: Same as #2

STATE OF CALIFORNIA
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### JMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

18	8. Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
	9. Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
	O. Are grant funds being used for their intended purpose?	⊠ Yes	□No	□ N/A	Remarks:
	<ol> <li>Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?</li> </ol>	☐ Yes	□ No	⊠ N/A	Remarks: Same as #2
22	<ol> <li>Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?</li> </ol>	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
Quest	tions 23 through 26 pertain to the Grants Managemen	t Unit	135 / AS	Re fillings	
23	3. Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
	4. Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive Assistants?	☐ Yes	□ No	⊠ N/A	Remarks: Same as #2
	5. Did GMU route copies of the Draft Grant Agreement using the CHP Form 60, Staff Summary Statement, to all commands with responsibility for or that have an interest in the project?	☐ Yes	□No	⊠ N/A	Remarks: Same as #2
26	<ol> <li>Was a Memorandum of Understanding between involved commands outlining the responsibilities of</li> </ol>	☐ Yes		⊠ N/A	

## MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Overtime

Command:	Division:	Number:
Cordelia IF	Golden Gate	366
Evaluated by: Lt. C. Childs, #13867		Date: 11/19/2009
Assisted by:		Date:
Sgt. M. Lehman, D. Silva		11/19/2009

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.						
TYPE OF INSPECTION	Lead Inspe	ector's Signati	ure:			
☐ Division Level ☐ Command Level	Ca	4. 6	4-			
☐ Executive Office Level ☐ Voluntary Self-Inspection	on	myal				
Follow-up Required:	Command	er's Signature	):		Date:	
☐ Follow-up Inspection☐ Yes ☐ No	2.	P. 1	Tom!	22	11/19/2009	
For applicable policies, refer to HPM 11.1, Chapter 6,	M.	000	) em			
HPM 40.71, Chapters 2, 8, and 10, HPM 10.5,						
Chapter 2, and HPM 10.3, Chapters 24 and 28.						
Note: If a "No" or "N/A" box is checked, the "Remarks" sect	ion aball be u	tilingal for a	· · · · · · · · · · · · · · · · · · ·			
Is the hiring company/agency for reimbursable	lion shall be u	illized for e	xpianation	ME WEST	ME IN THE WEST STORY	
overtime being held responsible for paying a		☐ No	□ N/A	Remarks:		
minimum of four hours of overtime per CHP uniformed employee, regardless of length of						
service/detail?						
2. Is a minimum of four hours overtime being allocated	d					
to each CHP uniformed employee(s) if cancellation	⊠ Yes	☐ No	□ N/A	Remarks:		
notification is made 24 hours or less prior to the scheduled detail and the assigned CHP uniformed						
employee(s) cannot be notified of such cancellation	1?					
Are reimbursable special project codes being used		_		Damarka		
for all overtime associated with reimbursable special projects?	al 🛛 Xes	☐ No	□ N/A	Remarks:		
4. Is the commander ensuring nonuniformed personne	el					
overtime hours are not reflected on the Report of	⊠ Yes	☐ No	□ N/A	Remarks:		
Overtime Hours for Reimbursable Special Projects'  5. Is the commander ensuring non-reimbursable	?					
overtime is not being claimed for an employee, other	er 🛛 Yes	□No	□ N/A	Remarks:		
than Bargaining Unit 7, while on vacation or		_				
compensated time off for hours worked during their regular work shift time?						
6. Is "RDO" being written in the "Notes" section of the						
CHP 415, Daly Field Record, for overtime worked o	n 🛛 Yes	☐ No	□ N/A	Remarks:		
a regular day off?						
<ol> <li>Is there a CHP 90, Report of Court Appearance - Civil Action, completed for each officer or sergeant</li> </ol>	⊠ Yes	□No	□ NI/A	Remarks:		
when overtime is associated for civil court?	□ Tes	□ мо	│			

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STATE OF CALIFORNIA

ARTMENT OF CALIFORNIA HIGHWAY PATROL

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

8. Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	⊠ Yes	☐ No	□ N/A	Remarks:
9. Did the supervisor sign the CHP 415s approving the overtime?	⊠ Yes	□No	□ N/A	Remarks:
10. Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	⊠ Yes	□No	□ N/A	Remarks:
11. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	⊠ Yes	□No	□ N/A	Remarks:
12. Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	⊠ Yes	☐ No	□ N/A	Remarks:
13. Are employee's Compensated Time Off hours maintained within reasonable balances?	Yes	⊠ No	□ N/A	Remarks: 5 instances for 25.65 hours were noted over 13-pay periods
14. Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	⊠ No	□ N/A	Remarks: 5 Instances for 9 hours paid
15. Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	⊠ Yes	□No	□ N/A	Remarks:
16. Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	⊠ Yes	☐ No	□ N/A	Remarks:
17. Are the MARs retained for at least three years and contain the commander's signature?	⊠ Yes	□ No	□ N/A	Remarks:

#### Memorandum

Date:

November 30, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Oakland Area

File No.:

370.12322

Subject:

RESPONSE TO OAKLAND AREA COMMAND OVERTIME INSPECTION

**REPORT** 

This memorandum is intended to serve as the written response to the draft Command Overtime inspection report for the Oakland Area.

#### **FINDINGS REQUIRING FOLLOW-UP:**

**Finding 1 – Agree.** Area management and supervisors will continue to monitor employees' CTO hours to ensure balances are maintained at reasonable levels to avoid the conversion to paid overtime. A server directory has been created to maintain electronic versions of the current CTO balances; the directory is accessible by Area managers and supervisors.

Finding 2 – Partially Agree. Oakland Area management does in fact critically review and approve all shift schedules, "ensuring employees are not incurring overtime due to working over the allotted number of hours for any given FLSA period." The Oakland Area scheduling sergeants utilize Excel spreadsheets to track hours during FLSA periods when preparing monthly assignments. The shift spreadsheets have formulas to calculate the work hours for sergeants and officers during each FLSA period, so as not to exceed the maximum allowable hours. However, a thorough review by Area management has revealed that modifications to approved schedules and/or late/improper data entries have inadvertently resulted in the identified FLSA discrepancies. Area management and sergeants will continue to monitor timekeeping records, schedules, and shift modifications in an effort to avoid employees incurring excess FLSA hours.

This will serve as a final report and no quarterly updates will be necessary. Questions regarding this response may be directed to Lieutenant B. J. Whitten or me at (510) 450-3821.

D. E. MORRELL, Captain

Commander

### **COMMAND INSPECTION PROGRAM**EXCEPTIONS DOCUMENT

Oakland	Golden Gate	Chapter 6
Inspected by:		Date:
Lt. Jim Fonseca		11/19/2009

Chapter:

Division:

F \_ge 1 of 4

	er Inspecti nis docume	on number.  Under "Forv ent shall be utilized to do	vard to:" enter the ne cument innovative pr	Il in the blanks as indicated. Enter the chapte kt level of command where the document actices, suggestions for statewide e used if additional space is required.
TYPE OF INSPECTION  ☐ Division Level X Command Level		Total hours expended on the inspection: 4.5 hours		☐ Corrective Action Plan Included ☐ Attachments Included
Executive Office Level				Attaciments moluded
Follow-up Required:	Forwa	ird to:		
☐ Yes <u>X</u> No	Due D	eate:		
Chapter Inspection:				
Inspector's Comments Rega	arding li	nnovative Practice	s:	
None				
Command Suggestions for	Statewic	de Improvement:		
None				
Inspector's Findings:				
	l overtin	ne over the past tw		ed fifteen (15) instances of CTO total of approximately 165.17
	hs, reve	ealed 185 instance		ation Report (WPORR), during epancies for a total of 922
Commander's Response: D	1 Conci	ır or □ Do Not Coı	OCUT (Do Not Cond	our shall document basis for response)

Command:

Finding #1: **Agree.** Oakland Area management routinely monitors the CTO balances of sergeants and officers. Employees with high balances who regularly accumulate CTO are directed to use an appropriate amount of CTO to preclude the conversion of those hours to paid overtime. However, with the 12-hour shift alternate work week (AWW) program, personnel are not allowed to take discretionary days off except under "extraordinary circumstances." Consequently, supervisors are more reluctant to grant such requests, without prior knowledge of CTO balances. A server directory has been created to maintain, by month, electronic versions of CTO balances; the directory is accessible by Area managers, prvisors, and appropriate support staff. Area management and supervisors will continue to monitor C O hours to ensure balances are maintained at reasonable levels to avoid incidents in the future.

### COMMAND INSPECTION PROGRAM **EXCEPTIONS DOCUMENT**

Division: Golden Gate Chapter: Chapter 6 Date:

11/19/2009

1 .ge 2 of 4

Finding #2: Partially Agree. Oakland Area management does in fact critically review and approve all shift schedules, "ensuring employees are not incurring overtime due to working over the allotted number of hours for any given FLSA period." The Oakland Area scheduling sergeants utilize Excel spreadsheets to track hours during FLSA periods when preparing monthly assignments. The shift spreadsheets have formulas to calculate the work hours for sergeants and officers during each FLSA period, so as not to exceed 170 hours. A thorough review of the identified discrepancies by Area management has revealed that modifications to approved schedules and/or late/improper data entries have inadvertently resulted in the FLSA errors.

Command:

Oakland

Inspected by:

Lt. Jim Fonseca

For example, after every Academy graduation, several newly-appointed officers are assigned to the Oakland Area. Prior to reporting to their new command, in addition to four regular days off, the new officers are granted five days off utilizing CTO. Upon their arrival, the new officers' schedules convert from 8-hour shifts to the 12-hour AWW program for Area road patrol officers. When preparing the new officers' schedules, the Oakland Area Field Training and Evaluation Program coordinator properly computes to FLSA hours to avoid incurring any overtime for working over the allotted number of hours. However, the Area has discovered that the five CTO days are not always deducted that month from the new employees' balances and instead are computed as regular work days (at 8 1/2 hours), for an extra 2.5 hours during the FLSA period. The CTO balances are usually corrected the following month and notices are sent to the employees for any overpayments, but the identified discrepancies still exist on Area's overtime report.

The review identified several other issues, which included officers inadvertently claiming CTO or vacation instead of scheduled RDOs; officers working on RDOs, especially when their schedules have been modified to accommodate training; officers not working the one scheduled short day (often sevenhour day) during the FLSA period; officers working too many hours on their short days (if no vacation is scheduled for an employee in an FLSA period, the short day must never be more than seven hours): and revisions being made to schedules (usually for training) after they have been approved by the scheduling sergeants and management.

Area management and sergeants will continue to monitor and adjust timekeeping records, schedules. and shift modifications in an effort to avoid employees incurring FLSA overtime in the future.

# **COMMAND INSPECTION PROGRAM**F\*CEPTIONS DOCUMENT

ا پوء 4 of 4

Command:	nd: Division: Chapter:	
Oakland	Golden Gate	Chapter 6
Inspected by:	*	Date:
Lt. Jim Fonseca		11/19/2009

Inspector's Comments:	Shall address non concurrence by commander (e.g., findings revised, findings unchanged,
etc.)	

# **COMMAND INSPECTION PROGRAM**FXCEPTIONS DOCUMENT

Luge 4 of 4

Command:	Division:	Chapter:
Oakland	Golden Gate	Chapter 6
Inspected by:		Date:
Lt. Jim Fonseca		11/19/2009

- F	
Required Action	
Corrective Action Plan/Timeline	

Employee would like to discuss this report with	COMMANDER'S SIGNATURE	DATE
the reviewer. (See HPM 9.1, Chapter 8 for appeal procedures.) <	D m u	12-18.09
	INSPECTOR'S SIGNATURE	DATE
	Jones CT. 19303	12.29-09
Reviewer discussed this report with	REVIEWER'S SIGNATURE	DATE
mployee		1-15-10
Concur ☐ Do not concur	(12.6	1-13 10

Page

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Overtime

Command:	Division:	Number:		
Oakland	Golden Gate	370		
Evaluated by:		Date:		
Lt. Jim Fonseca		11/19/2009		
Assisted by:		Date:		
Sgt. Steve Perea		11/19/2009		
SSA J. Manlutac				
N. Carlotte and Ca		I		

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TVDE OF MODERATION	Lead Inspe	ector's Signatu	ле:		
TYPE OF INSPECTION					
X Division Level ☐ Command Level	1	Tom	u- 0,	7. 13	303
☐ Executive Office Level ☐ Voluntary Self-Inspection					
Follow-up Required:	Command	er's Signature	:		Date:
Follow-up Inspection		M			11/19/2009
☐ Yes X No		- ' L	-	4	
For applicable policies, refer to HPM 11.1, Chapter 6,					
HPM 40.71, Chapters 2, 8, and 10, HPM 10.5,					
C'opter 2, and HPM 10.3, Chapters 24 and 28.					
Note: If a "No" or "N/A" box is checked, the "Remarks" section	n shall be u	ilized for ex	xplanation		
Is the hiring company/agency for reimbursable					
overtime being held responsible for paying a	X Yes	│		Remarks:	
minimum of four hours of overtime per CHP	-				
uniformed employee, regardless of length of					
service/detail?					
2. Is a minimum of four hours overtime being allocated		<b></b>		Remarks:	
to each CHP uniformed employee(s) if cancellation	X Yes	☐ No	│ □ N/A	remaiks.	
notification is made 24 hours or less prior to the					
scheduled detail and the assigned CHP uniformed					
employee(s) cannot be notified of such cancellation?  3. Are reimbursable special project codes being used					
for all overtime associated with reimbursable special	X Yes	□No	□ N/A	Remarks:	
projects?	_ ▲ res				
Is the commander ensuring nonuniformed personnel					
overtime hours are not reflected on the Report of	X Yes	□No	∏ N/A	Remarks:	
Overtime Hours for Reimbursable Special Projects?	<u> </u>			1	
5. Is the commander ensuring non-reimbursable					
overtime is not being claimed for an employee, other	X Yes	│		Remarks:	
than Bargaining Unit 7, while on vacation or	<del>-</del>				
compensated time off for hours worked during their					
regular work shift time?					
6. Is "RDO" being written in the "Notes" section of the	7		□ NI/A	Remarks:	
CHP 415, Daly Field Record, for overtime worked on	X Yes	☐ No	│ □ N/A		
a regular day off?					
Is there a CHP 90, Report of Court Appearance - Civil Action, completed for each officer or sergeant	X Yes	□No	│	Remarks:	
when overtime is associated for civil court?	I A Yes				

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	X Yes	□No	□ N/A	Remarks:
9. Did the supervisor sign the CHP 415s approving the overtime?	X Yes	□No	□ N/A	Remarks:
10. Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	X Yes	□No	□ N/A	Remarks:
11. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	X Yes	□No	□ N/A	Remarks:
12. Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	X Yes	□ No	□ N/A	Remarks:
13. Are employee's Compensated Time Off hours maintained within reasonable balances?	☐ Yes	<u><b>X</b></u> No	□ N/A	Remarks: 15 instances of CTO converted to paid overtime. Refer to Exceptions Doc.
14. Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	<u>X</u> No	□ N/A	Remarks: 185 discrepancies identified. Refer to Exceptions Doc.
15. Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	X Yes	□No	□ N/A	Remarks:
16. Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	X Yes	□ No	□ N/A	Remarks:
17. Are the MARs retained for at least three years and contain the commander's signature?	X Yes	□No	□ N/A	Remarks:

### Remarks:

Page

STATE OF CALIFORNIA
DF^ARTMENT OF CALIFORNIA HIGHWAY PATROL

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

Command:	Division:	Number:		
Oakland	Golden Gate	370		
Evaluated by:		Date:		
Lt. James Fonseca		11/19/2009		
Assisted by:		Date:		
Sgt. Steve Perea		11/19/2009		
SSA J. Manlutac				

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TYPE OF INSPECTION	Le	Lead Inspector's Signature:				
X Division Level ☐ Command Level ☐ Executive Office Level ☐ Voluntary Self-Inspe	ection	J. Jones LT. 13303				
Follow-up Required:	40.00	Commander's Signature: Date:			Date: 11/19/2009	
Yes X No	11011	11/19/2009				1171972009
For applicable policy, refer to: GO 40.6						
N :: If a "No" or "N/A" box is checked, the "Remarks":	section sha	shall be utilized for explanation.				
If the commander became aware that another agency or organization is proposing or has submitted a grant application to a funding agency other than the		<b>X</b> Yes	□ No	□ N/A	Remarks:	
Office of Traffic Safety (OTS) that appears to fo	cus					
on traffic safety goals clearly within the jurisdicti	ion of					
the Department, did the commander notify the						
<ul><li>appropriate assistant commissioner?</li><li>2. Has OTS grant funding, through the Highway S</li></ul>	of a bu					
Plan, been sought for traffic safety-related activ		☐ Yes ☐ No X N/A Remarks: A			Area did not submit	
for the purpose of conducting inventories, need					any grant i	
engineering studies, system development or pro	ogram					·
implementations?						
<ol> <li>Has the command sought grant funding to assis the expenses associated with the priority progra</li> </ol>		_ Yes │	□ Na	<b>x</b>	Remarks: GMU	
identified by the National Highway Traffic Safety		res	☐ No	<b>X</b> N/A	Remarks.	GIVIO
Administration?	′					
4. Has the commander ensured grant funds are no						
being reallocated to fund other programs or use	d for X	X Yes	☐ No	□ N/A	Remarks:	
non-reimbursable overtime expenditures?						
Are concept papers regarding grant funding     Submitted through changes to Create Management		¬ <sub>V</sub> -	v	□ NI/A	Domo-wice:	الاحتمادية المعارفة المالية
submitted through channels to Grants Managen Unit (GMU)?	nent	☐ Yes │	<u><b>X</b></u> No	□ N/A	any grant	Area did not submit proposals.
6. Was GMU contacted to determine the current						
personnel billing rates used for grant projects w	hen X	<b>X</b> Yes	☐ No	□ N/A	Remarks:	Information
preparing concept paper budgets?			,		provided b	y GMU.

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

7. Is supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	Yes	□ No	<u>X</u> N/A	Remarks: GMU
8. Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
9. Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
10. Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
11. Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	X Yes	□ No	□ N/A	Remarks:
12. Are all requirements of the grant agreement and MOU being met?	X Yes	☐ No	□ N/A	Remarks:
13. Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU. Does not apply to Area Operations.
14. Does every invoice associated with a grant funded project contain the project number and name?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
15. Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
16. Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	X Yes	☐ No	□ N/A	Remarks:
<ul> <li>17. Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?</li> <li>This would include any of the following: <ul> <li>Applications for federal funds which are not included in the budget approved by the Governor.</li> <li>Applications for federal funds which exceed the amount specified in the budget</li> </ul> </li> </ul>	☐ Yes	□ No	<u>X</u> N/A	Remarks: GMU

## MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

**Command Grant Management** 

18.	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
19.	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	☐ No	<u><b>X</b></u> N/A	Remarks: GMU
	Are grant funds being used for their intended purpose?	X Yes	□No	□ N/A	Remarks:
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU
	submitted to the funding agency?				
Questi	ons 23 through 26 pertain to the Grants Managemen	t Unit			
		t Unit	□ No	<u>X</u> N/A	Remarks: GMU
23.	ons 23 through 26 pertain to the Grants Managemen Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway			<u>X</u> N/A	Remarks: GMU Remarks: GMU
23.	ons 23 through 26 pertain to the Grants Management Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program? Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	☐ Yes	□ No		

OWOOD CITY CA 940

. 2009 DEC 11 PM 12: 52

### Memorandum

Date:

December 10, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Castro Valley Area

File No.:

375.13120

Subject:

RESPONSE TO DRAFT COMMAND OVERTIME AND AREA GRANT

MANAGEMENT INSPECTION REPORT

This memorandum is intended to serve as the written response to the draft command overtime and Area grant management inspection report of the Castro Valley Area as required.

#### FINDINGS REQUIRING FOLLOW-UP:

**Finding 1 – Agree.** This discrepancy had been addressed and corrected by Area management prior to this inspection. Processes are currently in place to ensure proper scheduling and monitoring of FLSA hours to ensure compliance.

Questions regarding this response may be directed to Sergeant Stephen Perea via e-mail at sperea@chp.ca.gov or by telephone at (510) 581-9028.

L. M. FRANKLIN, Lieutenant

will

Commander

# **COMMAND INSPECTION PROGRAM**EXCEPTIONS DOCUMENT

age 1 of 2

Command: Castro Valley Area	Division: Golden Gate	Chapter: Chapter 6
Inspected by: Lt. Jim Fonseca		Date: 12/02/2009

INSTRUCTIONS: This document shall be number of the inspection in the Chapter shall be routed to and its due date. This improvement, identified deficiencies, cor	Inspecti docume	on number. Under "Forwa ent shall be utilized to docu	rd to:" enter the nex iment innovative pra	Il in the blanks as indicated. Enter the chapter at level of command where the document actices, suggestions for statewide used if additional space is required.		
TYPE OF INSPECTION  Division Level X Command Level  Executive Office Level		Total hours expended on the inspection: 3 hours		☐ Corrective Action Plan Included ☐ Attachments Included		
Follow-up Required:  Solution    Forward to:  Due Date:						
Chapter Inspection:						
Inspector's Comments Regar	ding l	nnovative Practices				
None.						
Command Suggestions for St	atewi	de Improvement:				
none.						
Inspector's Findings:						
	s, reve			ation Report (WPORR), during pancies for a total of 14.75		
Commander's Response: X (	Concu	r or 🗌 Do Not Conc	ur (Do Not Concu	ur shall document basis for response)		

# **COMMAND INSPECTION PROGRAM**EXCEPTIONS DOCUMENT

age 2 of 2

Command: Castro Valley Area	Division: Golden Gate	Chapter: Chapter 6
Inspected by: Lt. Jim Fonseca	1	Date: 12/02/2009

Inspector's Comments:	Shall address non concurrence by commander (e.g.,	findings revised, findings unchanged,
etc.)		

Findings unchanged.

	7			the solid to	
Required Action		NICHT PROPERTY			
Compatible Action District			M - A THAT I -		
Corrective Action Plan/Timeline					

Finding #1: The Area scheduling sergeant and timekeeper have been made aware of these discrepancies and processes are in place to ensure proper scheduling. Additionally, the timekeeper will monitor FLSA hours prior to cut-off to ensure compliance.

Employee would like to discuss this report with the reviewer. (See HPM 9.1, Chapter 8 for appeal procedures.)	COMMANDER'S SIGNATURE	12/10/09
	INSPECTOR'S SIGNATURE  4T. 13303	12/11/09
Reviewer discussed this report with employee Concur  Do not concur	BÉVIEWER'S SIGNATURE	1/12/2010

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Overtime

Command:	Division:	Number:			
Castro Valley	Golden Gate	375			
Area					
Evaluated by:		Date:			
Lt. Jim Fonseca		12/02/2009			
Assisted by:		Date:			
Sgt. M. Otterby		12/02/2009			

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TYPE OF INSPECTION	Lead Inspe	ector's Signatu	ıre:		
X Division Level ☐ Command Level	7	Form	en o	UT. 13	303
☐ Executive Office Level ☐ Voluntary Self-Inspection					
Follow-up Required:	Command	er's Signature			Date: 12/02/2009
Follow-up Inspection	1	17	1		12/02/2009
Yes X No					
For applicable policies, refer to HPM 11.1, Chapter 6,					
HPM 40.71, Chapters 2, 8, and 10, HPM 10.5,					
Chapter 2, and HPM 10.3, Chapters 24 and 28.					
Note: If a "No" or "N/A" box is checked, the "Remarks" section	n shall be u	tilized for ex	xolanation	11:30 5 5 5 5	
Is the hiring company/agency for reimbursable	T Gridin Do. di		npianation.		AND COME CANADA SALES
overtime being held responsible for paying a	X Yes	☐ No	□ N/A	Remarks:	
minimum of four hours of overtime per CHP	-				
uniformed employee, regardless of length of					
service/detail?  2. Is a minimum of four hours overtime being allocated					
to each CHP uniformed employee(s) if cancellation	X Yes	☐ No	□ N/A	Remarks:	
notification is made 24 hours or less prior to the	_ <u>∧</u> res				
scheduled detail and the assigned CHP uniformed					
employee(s) cannot be notified of such cancellation?					
Are reimbursable special project codes being used		_	_	Remarks:	
for all overtime associated with reimbursable special	X Yes	☐ No	□ N/A	Remains.	
projects?					
<ol> <li>Is the commander ensuring nonuniformed personnel overtime hours are not reflected on the Report of</li> </ol>	V	□No	□ N/A	Remarks:	
Overtime Hours for Reimbursable Special Projects?	X Yes				
Is the commander ensuring non-reimbursable					
overtime is not being claimed for an employee, other	X Yes	☐ No	□ N/A	Remarks:	
than Bargaining Unit 7, while on vacation or	-				
compensated time off for hours worked during their					
regular work shift time?  6. Is "RDO" being written in the "Notes" section of the					
CHP 415, Daly Field Record, for overtime worked on	X Yes	□No	□ N/A	Remarks:	
a regular day off?	7 162				
7. Is there a CHP 90, Report of Court Appearance -				_	
Civil Action, completed for each officer or sergeant	X Yes	☐ No	□ N/A	Remarks:	
when overtime is associated for civil court?	_				

## MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	X Yes	□ No	□ N/A	Remarks:
Did the supervisor sign the CHP 415s approving the overtime?	X Yes	□No	□ N/A	Remarks:
Are claimed overtime meals related to overtime     worked within 50 miles of the employee's     headquarters?	X Yes	□No	□ N/A	Remarks:
11. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	X Yes	□ No	□ N/A	Remarks:
12. Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	X Yes	□ No	□ N/A	Remarks:
13. Are employee's Compensated Time Off hours maintained within reasonable balances?	X Yes	☐ No	□ N/A	Remarks:
14. Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	<u><b>X</b></u> No	□ N/A	Remarks: Six discrepancies identified. Refer to Exceptions Form.
15. Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	X Yes	□ No	□ N/A	Remarks:
16. Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	X Yes	□ No	□ N/A	Remarks:
17. Are the MARs retained for at least three years and contain the commander's signature?	X Yes	□ No	□ N/A	Remarks:

### Remarks:

### DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

Command:	Division:	Number:
Castro Valley	Golden Gate	375
Area		
Evaluated by:		Date:
Lt. Jim Fonseca		12/02/2009
Assisted by:		Date:
Sgt. Steve Perea	a	12/02/2009

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TYPE O	F INSPECTION		Lead Inspe	ector's Signatu	іге:		y
X Divis	sion Level	J. Jones 17. 13303					
☐ Exe	ecutive Office Level		/				
Fo	llow-up Required:	☐ Follow-up Inspection	Commander's Signature: Date: 12/02/20				Date: 12/02/2009
-	Yes X No	1		- +	1		
For applicable policy, refer to: GO 40.6							
		ecked, the "Remarks" section	shall be ut	ilized for ex	planation		
1.	a grant application to a fu	e aware that another proposing or has submitted nding agency other than the TS) that appears to focus	X Yes	□No	□ N/A	Remarks:	
	on traffic safety goals cleat the Department, did the cappropriate assistant com	arly within the jurisdiction of commander notify the					
2.	Plan, been sought for traffor the purpose of conduction	nrough the Highway Safety fic safety-related activities ting inventories, need and em development or program	☐ Yes	□ No	<b>X</b> N/A	Remarks: any grant	Area did not submit proposals.
3.	Has the command sought the expenses associated identified by the National Administration?		☐ Yes	□ No	<u><b>X</b></u> N/A	Remarks:	GMU
4.	Has the commander ensubeing reallocated to fund on non-reimbursable overtimes.	other programs or used for	X Yes	□ No	□ N/A	Remarks:	
5.	Unit (GMU)?	els to Grants Management	☐ Yes	<u><b>X</b></u> No	□ N/A	Remarks: any grant	Area did not submit proposals.
6.	Was GMU contacted to de personnel billing rates use preparing concept paper by	ed for grant projects when	X Yes	□ No	□ N/A	Remarks:	Information y GMU.

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2 of 3

STATE OF CALIFORNIA
PEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

7. Is supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU
8. Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
9. Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU
10. Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
11. Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	X Yes	□No	□ N/A	Remarks:
12. Are all requirements of the grant agreement and MOU being met?	X Yes	☐ No	□ N/A	Remarks:
13. Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU. Does not apply to Area Operations.
14. Does every invoice associated with a grant funded project contain the project number and name?	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU
15. Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
16. Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	X Yes	□ No	□ N/A	Remarks: Radar Trailer and Child Safety Seat equipment.
<ul> <li>17. Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?  This would include any of the following:  <ul> <li>Applications for federal funds which are not included in the budget approved by the Governor.</li> <li>Applications for federal funds which exceed the amount specified in the budget.</li> </ul> </li> </ul>	☐ Yes	□ No	<u>X</u> N/A	Remarks: GMU

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

18.	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	☐ No	<u><b>X</b></u> N/A	Remarks: GMU		
19.	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	☐ No	<b>X</b> N/A	Remarks: GMU		
20.	Are grant funds being used for their intended purpose?	X Yes	☐ No	□ N/A	Remarks:		
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU		
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU		
Questi	ons 23 through 26 pertain to the Grants Managemen	t Unit			2/约翰157世纪4000年代第二年代		
		t Unit	□ No	X N/A	Remarks: GMU		
23.	ons 23 through 26 pertain to the Grants Managemen Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway		□ No	<u>X</u> N/A	Remarks: GMU		
24.	Ons 23 through 26 pertain to the Grants Management Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program? Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	☐ Yes		_			

#### Memorandum

Date:

December 13, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

**Dublin Area** 

File No.:

390.11767

Subject:

RESPONSE TO COMMAND GRANT MANAGEMENT INSPECTION

**REPORT** 

This memorandum is intended to serve as the written response to the Command Grant Management inspection report of Dublin Area, as required.

#### FINDINGS REQUIRING FOLLOW-UP:

**Finding 1 – Agree.** The Area will provide training to the officers and sergeants regarding the importance of monitoring CTO balances and accruing balances in excess of the bargaining unit agreements, resulting in paid overtime. Additionally, Area will take additional proactive steps in requiring employees to utilize CTO hours to ensure they do not exceed the maximum allowable accrual.

**Finding 2 – Agree.** The Area will provide training to the officers and sergeants regarding FLSA hours and the importance of staying within the boundaries of hours worked each FLSA period. The supervisors will ensure that the posted monthly schedule reflects the correct number of hours and the schedules are not modified causing an overage of work hours during the FLSA period. Management will continually monitor the WPORR to ensure compliance.

Questions regarding this response may be directed to Lieutenant Lorraine Krolosky via e-mail at <a href="mailto:lkrolosky@chp.ca.gov">lkrolosky@chp.ca.gov</a> or by telephone at (925) 828-0466.

M. M. MUELLER, Captain

Area Commander

# COMMAND INSPECTION PROGRAM EXCEPTIONS DOCUMENT

Command:	Division:	Chapter:
Dublin Area	Golden Gate	Chapter 6
Inspected by:		Date:
Lt. Jim Fonseca		12/02/2009

Rage 1 of 2

490 1012				
INSTRUCTIONS: This document shall be number of the inspection in the Chapter I shall be routed to and its due date. This improvement, identified deficiencies, corr	nspecti-	on number. Under "Forwa ent shall be utilized to doc	ard to:" enter the nea ument innovative pr	Il in the blanks as indicated. Enter the chapter at level of command where the document actices, suggestions for statewide a used if additional space is required.
TYPE OF INSPECTION  Division Level X Command Le  Executive Office Level	Division Level X Command Level inspection: 3 hours		d on the	☐ Corrective Action Plan Included ☐ Attachments Included
Follow-up Required: ☐ Yes <u>X</u> No	Forwa			
Chapter Inspection:	-91-4	A. Indiana and A. Indiana		
Inspector's Comments Regard	ding li	nnovative Practices	•	
None.				
Command Suggestions for St	atewi	de Improvement:		
lone.				
Inspector's Findings:				
of overtime paid ou Finding #2: #14, Command Ov	overtir ut. ertime s, reve	ne over the past tw e, Work Period Ove ealed twenty-nine ir	elve months. <i>A</i> ertime Reconcili	ed two (2) instances of CTO A total of approximately 9.56 hours iation Report (WPORR), during SA discrepancies for a total of
Commander's Response: X C	Concu	r or 🗌 Do Not Con	cur (Do Not Conc	ur shall document basis for response)
ř				
Inspector's Comments: Shall a etc.)	address	s non concurrence by c	ommander (e.g., f	indings revised, findings unchanged,
<sup>‡</sup> indings unchanged.				

CHP 680A (Rev. 02-09) OPI 010

## COMMAND INSPECTION PROGRAM EXCEPTIONS DOCUMENT

age 2 of 2

Command:	Division:	Chapter:
Dublin Area	Golden Gate	Chapter 6
Inspected by:		Date:
Lt. Jim Fonseca	l	12/02/2009

		SKILE U VALLE V	STATE OF THE REST	1 1 2 8 2 10	MI
Required Action			or the second	Alin Lari	h al
				N	ψ
Corrective Action Plan/Timelin	ne				

Finding #1:

The Area will provide training to the officers and sergeants regarding the importance of monitoring CTO balances and accruing balances in excess of the bargaining unit agreements, resulting in paid overtime. Additionally, Area will take additional proactive steps in requiring employees to utilize CTO hours to ensure they do not exceed the maximum allowable accrual.

Finding #2:

FLSA hours and the importance of staying within the boundaries of hours worked each FLSA period. Management will continually monitor the WPORR report. The sergeants will ensure that the posted monthly schedule reflects the correct number of work hours and that the schedule is not changed causing an overage of work hours for the FLSA period. Sergeants have also been cautioned regarding the change in days off and ensuring officers are utilizing a seven hour day when scheduled.

Employee would like to discuss this report with	COMMANDER'S SIGNATURE	DATE )
the reviewer.	Jana Land	12/13/09
(See HPM 9.1, Chapter 8 for appeal procedures.)	INSPECTOR'S SIGNATURE	DATE
	A. Jone LT. 13303	12/28/09
Reviewer discussed this report with	REVIEWER'S SIGNATURE	DATE
employee	and An	
☑ Concur ☐ Do not concur	15/69N	1/12/2010

# OMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

Command:	Division:	Number:
Dublin Area	Golden Gate	390
Evaluated by:		Date:
Lt. Jim Fonseca	12/02/2009	
Assisted by:	Date:	
Sgt. Steve Peres	12/02/2009	
_		

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

TYPE OF INSPECTION	4	Lead Inspe	ector's Signatu	ire:		
X Division Level	Command Level	Has	m J	on	LT. 13	5303
☐ Executive Office Level	□ Voluntary Self-Inspection					
Follow-up Required:		Command	er's Signature			Date:
	☐ Follow-up Inspection		1 1	o .		12/02/2009
□ Yes <u>X</u> No		رر،	ーハーン	<u> </u>		
For applicable policy, refer	to: GO 40.6					
te: If a "No" or "N/A" box is	checked, the "Remarks" section:	shall be ut	ilized for ex	cplanation	les en la serie	Service Control of the
	ame aware that another n is proposing or has submitted	X Yes	□No	□ N/A	Remarks:	
	a funding agency other than the	<u> </u>				
	(OTS) that appears to focus					
	clearly within the jurisdiction of					
	e commander notify the				ŀ	
appropriate assistant						
	g, through the Highway Safety					
	traffic safety-related activities	☐ Yes	□ No	X N/A	Remarks:	Area did not submit
	ducting inventories, need and			2007	any grant	oroposals.
	ystem development or program				, ,	· ·
implementations?	, стот сторина и разда					
	ight grant funding to assist with					
	ed with the priority programs	[ Yes	□ No	X N/A	Remarks:	GMU
	nal Highway Traffic Safety			<b>A</b> 10//		
Administration?	iai riigiirray Traine Carety					
	nsured grant funds are not					
	nd other programs or used for	<b>X</b> Yes	□ No	□ N/A	Remarks:	
non-reimbursable ove		VICS				
5. Are concept papers re					2	
	nnels to Grants Management	□ Yes	X No	□ N/A	Remarks:	Area did not submit
Unit (GMU)?	management		<u> </u>		any grant	oroposals.
	o determine the current					
	used for grant projects when	X Yes	□ No	□ N/A	Remarks:	Information
preparing concept pag		<u>~</u> 103			provided b	y GMU.

# OMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

7	Is supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	□Yes	∐ No	<b>X</b> N/A	Remarks: GMU
8	Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	□ Yes	□No	<b>X</b> N/A	Remarks: GMU
9	Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	□ Yes	□No	<b>X</b> N/A	Remarks: GMU
	D. Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	□ Yes	□No	<b>X</b> N/A	Remarks: GMU
	<ol> <li>Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?</li> </ol>	X Yes	⊏ No	□ N/A	Remarks:
1.	<ol><li>Are all requirements of the grant agreement and MOU being met?</li></ol>	X Yes	□ No	□ N/A	Remarks:
1:	3. Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	□ Yes	□ No	<b>X</b> N/A	Remarks: GMU. Does not apply to Area Operations.
14	Does every invoice associated with a grant funded project contain the project number and name?	□ Yes	□ No	<b>X</b> N/A	Remarks: GMU
1	5. Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	□ Yes	□ No	<u><b>X</b></u> N/A	Remarks: GMU
16	6. Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	X Yes	□No	□ N/A	Remarks: Radar Trailer.
17	<ul> <li>Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?</li> <li>This would include any of the following:         <ul> <li>Applications for federal funds which are not included in the budget approved by the Governor.</li> <li>Applications for federal funds which exceed the amount specified in the budget.</li> </ul> </li> </ul>	□ Yes	E. No	<u>X</u> N/A	Remarks: GMU

## OMMAND INSPECTION PROGRAM SPECTION CHECKLIST

18:	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	□ Yes	□ No	X N/A	Remarks: GMU
19.	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	□ Yes	□ No	<u>X</u> N/A	Remarks: GMU
20.	Are grant funds being used for their intended purpose?	X Yes	□ No	□ N/A	Remarks:
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	□ Yes	□ No	X N/A	Remarks: GMU
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	□ Yes	□ No	X N/A	Remarks: GMU
	Submitted to the fullding agency:				
Questi	ons 23 through 26 pertain to the Grants Managemer	t Unit		Market Sa	
		t Unit □ Yes	□ No	<u>X</u> N/A	Remarks: GMU
23.	ons 23 through 26 pertain to the Grants Managemer Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway		□ No	<u>X</u> N/A	Remarks: GMU Remarks: GMU
23.	Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive	□ Yes	W. 100 Ohes	Parties	

### OMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Command:	Division:	Number:
Dublin Are	Golden Gate	390
Evaluated by:		Date:
Lt. Jim Fonseca		12/02/2009
Assisted by:		Date:
Sgt. Steve Pere	12/02/2009	
Sgt. M. Otterby		

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

Lead Inspector's Signature:

TYPE OF INSPECTION		Lead IIIspe	ctor's Signati			
X Division Level	Command Level	7-	Form	_ LT.	1330	3
☐ Executive Office Level ☐	Voluntary Self-Inspection					
Follow-up Required:	☐ Follow-up Inspection	Commande	er's Signature			Date: 12/02/2009
For applicable policies, refer to	HPM 11 1 Chapter 6					
HPM 40.71, Chapters 2, 8, and	· · · · · · · · · · · · · · · · · · ·					
Chapter 2, and HPM 10.3, Chap						
jupiter 2, arrain in refe, erraj	5(5) 5 E ( G) 1G E 5.					
Note: If a "No" or "N/A" box is ched	ked, the "Remarks" section	shall be ut	ilized for e	xplanation		
Is the hiring company/ager overtime being held responding minimum of four hours of company and appleaded responding to the company and appleaded responding to th	nsible for paying a overtime per CHP	X Yes	□No	□ N/A	Remarks:	
uniformed employee, rega service/detail?	ruless of length of					
2. Is a minimum of four hours to each CHP uniformed en notification is made 24 hou scheduled detail and the a employee(s) cannot be not	nployee(s) if cancellation irs or less prior to the ssigned CHP uniformed	X Yes	□ No	□ N/A	Remarks:	
Are reimbursable special p for all overtime associated projects?	roject codes being used	X Yes	□ No	□ N/A	Remarks:	
Is the commander ensuring overtime hours are not reflection.  Overtime Hours for Reimble.	ected on the Report of	X Yes	□No	□ N/A	Remarks:	
5. Is the commander ensuring overtime is not being claim than Bargaining Unit 7, whi compensated time off for h regular work shift time?	ed for an employee, other le on vacation or ours worked during their	X Yes	□ No	□ N/A	Remarks:	
<ol> <li>Is "RDO" being written in the CHP 415, Daly Field Record a regular day off?</li> </ol>		X Yes	E No	□ N/A	Remarks:	

## OMMAND INSPECTION PROGRAM SPECTION CHECKLIST

Chapter 6 Command Overtime

7.	Is there a CHP 90, Report of Court Appearance - Civil Action, completed for each officer or sergeant when overtime is associated for civil court?	X Yes	□ No	□ N/A	Remarks:
14					
8.	Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	X Yes	□ No	□ N/A	Remarks:
9.	Did the supervisor sign the CHP 415s approving the overtime?	X Yes	□ No	□ N/A	Remarks:
	Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	X Yes	□ No	□ N/A	Remarks:
	If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	X Yes	□ No	□ N/A	Remarks:
	Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	X Yes	□ No	□ N/A	Remarks:
13.	Are employee's Compensated Time Off hours maintained within reasonable balances?	□ Yes	<u><b>X</b></u> No	□ N/A	Remarks: Two instances of CTO converted to paid overtime in past 12 months. Refer to Exceptions form.
14.	Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	[] Yes	<u><b>X</b></u> No	□ N/A	Remarks: Twenty-nine discrepancies identified in past 12 months. Refer to Exceptions Form.
	Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	X Yes	□ No	□ N/A	Remarks:
16.	Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	X Yes	□No	□ N/A	Remarks:
17.	Are the MARs retained for at least three years and contain the commander's signature?	X Yes	□ No	□ N/A	Remarks:

### Remarks:

#### Memorandum

Date:

November 24, 2009

EDWOOD CITY ON 940 ... 2009 DLC 15 PM 3: 28

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Mission Grade Inspection Facility

File No.:

391.13306

Subject:

CHAPTER 6

On November 24, 2009, Golden Gate Division conducted a Chapter 6 audit of the Mission Grade Inspection Facility. Attached are the Command Inspection Program, Inspection Checklists and Exceptions Documents for the Chapter 6 audit, as required per HPM 22.1, Command Inspection Program Manual. There were no discrepancies found during the Chapter 6 audit. Should you have any questions, please contact me at (925) 862-2223.

K. J. PILON, Lieutenant

Commander

Attachments

# **COMMAND INSPECTION PROGRAM** FXCEPTIONS DOCUMENT

age 1 of 2

Command: Mission Grade Insp. Facility	Division: Golden Gate	Chapter: Chapter 6
Inspected by:		Date:
Lt. Jim Fonseca		11/24/2009

INSTRUCTIONS: This document shall be typed. Check appropriate boxes as necessary, or fill in the blanks as indicated. Enter the chapter number of the inspection in the Chapter Inspection number. Under "Forward to:" enter the next level of command where the document shall be routed to and its due date. This document shall be utilized to document innovative practices, suggestions for statewide improvement, identified deficiencies, corrective action plans. A CHP 51 Memorandum may be used if additional space is required.

improvement, identified deficiencies, com	rective action plans. A CHP 5	1 Memorandum may b	e used if additional space is required.	
TYPE OF INSPECTION  Division Level X Command Le  Executive Office Level	Total hours experinspection: 2 hours	ded on the	☐ Corrective Action Plan Included ☐ Attachments Included	
Follow-up Required:	Forward to:  Due Date:			
Chapter Inspection:	· · · · · · · · · · · · · · · · · · ·	CHARLES WINDOWS		
Inspector's Comments Regard	ding Innovative Practi	ces:		
None.  Command Suggestions for Statewide Improvement:				
Inspector's Findings:				
There were no discrepancies				
Commander's Response: X	Concur or $\square$ Do Not C	oncur (Do Not Cond	cur shall document basis for response)	
I concur with the Inspector's fir Overtime and Grant Managem	•	•	Facility will continue to manage and procedure.	
5				
Inspector's Comments: Shall a etc.) None	address non concurrence l	by commander (e.g.,	findings revised, findings unchanged,	

### COMMAND INSPECTION PROGRAM

**FXCEPTIONS DOCUMENT** 

age 2 of 2

Command: Mission Grade Insp. Facility	Division: Golden Gate	Chapter: Chapter 6
Inspected by: Lt. Jim Fonseca	3	Date: 11/24/2009

So that is part of the property of the second	
Required Action	
Corrective Action Plan/Timeline	

No corrective action needed. No discrepancies found.

	7.	
Employee would like to discuss this report with the reviewer.	OMMANDER'S SIGNATURE	DATE
(See HPM 9.1, Chapter 8 for appeal procedures.)		-11/24/07
IN	SPECTOR'S SIGNATURE	DATE 12/4/09
A S	Jumm Comen cr.	DATE
Reviewer discussed this report with employee	EVIEWER'S SIGNATURE	DATE
Concur Do not concur	diff	1-1570

Page

Remarks:

 $\square$  N/A

☐ No

X Yes

STATE OF CALIFORNIA
PEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Overtime

Command:	Division:	Number:
Mission Grade	Golden Gate	391
Insp. Facility		
Evaluated by:		Date:
Lt. Jim Fonseca		11/24/2009
Assisted by:		Date:
Sgt. Steve Perea		11/24/2009

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected. Lead Inspector's Signature: TYPE OF INSPECTION once LT. 13323 X Division Level Command Level ☐ Executive Office Level ☐ Voluntary Self-Inspection Commander's Signature: Date: Follow-up Required: 11/24/2009 Follow-up Inspection Yes X No For applicable policies, refer to HPM 11.1, Chapter 6, HPM 40.71, Chapters 2, 8, and 10, HPM 10.5, Chapter 2, and HPM 10.3, Chapters 24 and 28. Note: If a "No" or "N/A" box is checked, the "Remarks" section shall be utilized for explanation. Is the hiring company/agency for reimbursable Remarks: overtime being held responsible for paying a ☐ No □ N/A **X** Yes minimum of four hours of overtime per CHP uniformed employee, regardless of length of service/detail? Is a minimum of four hours overtime being allocated Remarks: to each CHP uniformed employee(s) if cancellation ☐ No X Yes - N/A notification is made 24 hours or less prior to the scheduled detail and the assigned CHP uniformed employee(s) cannot be notified of such cancellation? 3. Are reimbursable special project codes being used Remarks: for all overtime associated with reimbursable special No N/A X Yes projects? Is the commander ensuring nonuniformed personnel Remarks: □ N/A overtime hours are not reflected on the Report of X Yes □ No Overtime Hours for Reimbursable Special Projects? 5. Is the commander ensuring non-reimbursable Remarks: overtime is not being claimed for an employee, other □ No  $\square$  N/A X Yes than Bargaining Unit 7, while on vacation or compensated time off for hours worked during their regular work shift time? 6. Is "RDO" being written in the "Notes" section of the Remarks: CHP 415, Daly Field Record, for overtime worked on □ No □ N/A X Yes

a regular day off?

Is there a CHP 90, Report of Court Appearance -

when overtime is associated for civil court?

Civil Action, completed for each officer or sergeant

## DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

8.	Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	X Yes	☐ No	□ N/A	Remarks:
9.	Did the supervisor sign the CHP 415s approving the overtime?	X Yes	□No	□ N/A	Remarks:
	Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	X Yes	□No	□ N/A	Remarks:
	If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	X Yes	□No	□ N/A	Remarks:
12	Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	X Yes	☐ No	□ N/A	Remarks:
13	Are employee's Compensated Time Off hours maintained within reasonable balances?	X Yes	☐ No	□ N/A	Remarks:
14	Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	X Yes	□No	□ N/A	Remarks:
15	Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	X Yes	□No	□ N/A	Remarks:
16	Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	X Yes	☐ No	□ N/A	Remarks:
17	Are the MARs retained for at least three years and contain the commander's signature?	X Yes	☐ No	□ N/A	Remarks:

### Remarks:

### DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Grant Management

Command:	Division:	Number:		
Mission Grade	Golden Gate	391		
Insp. Facility				
Evaluated by:	Date:			
Lt. Jim Fonseca	11/24/2009			
Assisted by:		Date:		
Sgt. Steve Perea		11/24/2009		

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.

	Company of the contract of the					
TYPE OF INSPECTION				ctor's Signatu		
X Divis	sion Level	Command Level	Van	nm	Jour	un LT. 13303
☐ Exe	cutive Office Level	☐ Voluntary Self-Inspection	//			
Fo	llow-up Required:	ĺ ú	Commande	r's Signature		Date:
	-	Follow-up Inspection	R		1	11/24/2009
	Yes X No					
For ap	plicable policy, refer to	: GO 40.6			>	
Jte:		necked, the "Remarks" section	shall be ut	ilized for ex	planation	
1.			VV			Remarks:
		s proposing or has submitted unding agency other than the	X Yes	☐ No	│	Remarks.
		OTS) that appears to focus				
		early within the jurisdiction of				
	the Department, did the					
2	appropriate assistant co	mmissioner? through the Highway Safety				
۷.		affic safety-related activities	Yes	□No	X N/A	Remarks: Area did not submit
		icting inventories, need and			<u> </u>	any grant proposals.
	engineering studies, sys	tem development or program				
	implementations?					
3.		ht grant funding to assist with	☐ Yes		V	Remarks: Completed through
	identified by the Nationa	d with the priority programs	L_ res	☐ No	<b>X</b> N/A	CVS.
	Administration?	Triigilway Traille Galety				0.00
4.	Has the commander ens					
		dother programs or used for	X Yes	☐ No	□ N/A	Remarks:
-	non-reimbursable overtin					
5.	Are concept papers rega	arding grant funding nels to Grants Management	☐ Yes	<b>X</b> No	□ N/A	Remarks: Area did not submit
	Unit (GMU)?	iolo to Oranto Managomont		<b>A</b> 140		any grant proposals.
6.	Was GMU contacted to					
		sed for grant projects when	X Yes	☐ No	□ N/A	Remarks: Information
	preparing concept paper	budgets?				provided by GMU and CVS.

### DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

7. Is supporting documentation of consent and acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	☐ Yes	□ No	<u>X</u> N/A	Remarks: GMU or CVS
8. Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	Yes	□No	<b>X</b> N/A	Remarks: GMU or CVS
9. Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU or CVS
10. Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	Yes	□ No	<b>X</b> N/A	Remarks: GMU or CVS
11. Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	X Yes	□ No	□ N/A	Remarks:
12. Are all requirements of the grant agreement and MOU being met?	X Yes	☐ No	□ N/A	Remarks:
13. Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	X Yes	□No	□ N/A	Remarks: Routed through GGD to CVS.
14. Does every invoice associated with a grant funded project contain the project number and name?	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU or CVS
15. Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	☐ Yes	□No	<u><b>X</b></u> N/A	Remarks: GMU or CVS
16. Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	☐ Yes	☐ No	<b>X</b> N/A	Remarks: No equipment.
<ul> <li>17. Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?  This would include any of the following: <ul> <li>Applications for federal funds which are not included in the budget approved by the Governor.</li> <li>Applications for federal funds which exceed the amount specified in the budget.</li> </ul> </li> </ul>	☐ Yes	□No	<u>X</u> N/A	Remarks: GMU or CVS

### DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□No	<b>X</b> N/A	Remarks: GMU or CVS
19.	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	☐ No	<b>X</b> N/A	Remarks: GMU or CVS
20,	Are grant funds being used for their intended purpose?	X Yes	□No	□ N/A	Remarks:
21.	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	<b>X</b> N/A	Remarks: Completed by GMU or CVS.
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□ No	<b>X</b> N/A	Remarks: GMU
Questi	ons 23 through 26 pertain to the Grants Managemen	t Unit			
23.	Has GMU prepared an annual Management Memorandum to be disseminated to all commanders	☐ Yes	□No	X N/A	Domarka: CML
2	soliciting participation in the Department's Highway Safety Program?			XWA	Remarks: GMU
24.		☐ Yes	□ No	<u>X</u> N/A	Remarks: GMU
	Safety Program?  Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive				

#### Memorandum

Date:

December 28, 2009

To:

Office of Inspections

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Golden Gate Division Special Services Unit

File No.:

316.11485.11327.301

Subject:

RESPONSE TO GOLDEN GATE DIVISION SPECIAL SERVICES

COMMAND CHAPTER 6 COMMAND GRANT MANAGEMENT AND

COMMAND OVERTIME INSPECTION

This memorandum is intended to serve as the written response to the Chapter 6 Command Grant Management and Command Overtime inspection report of the Golden Gate Division Special Services Command as required.

#### **FINDINGS REQUIRING FOLLOW-UP:**

**Finding 1 – Agree.** Golden Gate Division Special Service Command has scheduled a Unit Managers and Supervisors meeting in January 2010. During this meeting training and review on Highway Patrol Manuel (HPM) 22.1, Command Inspection Program Manuel, and HPM 10.3, Personnel Transactions Manuel, Chapter 24, Overtime. During the review all staff will be reminded of the provision contained within the Unit 5 Memorandum of Understanding concerning the ability to burn down Compensatory Time Off.

Finding 2 – Agree. Golden Gate Division Special Service Command has scheduled a Unit Managers and Supervisors meeting in January 2010. During this meeting training and review on Highway Patrol Manuel (HPM) 22.1, Command Inspection Program Manuel, and HPM 10.3, Personnel Transactions Manuel, Chapter 24, Overtime and Chapter 28, Attendance Reporting. During the review all staff will be reminded of the importance of monitor Regular Days Off within each FLSA period.

**Finding 3 – Agree.** Golden Gate Division Special Service Command has implemented a suspense system to address the Commanders signature on all MARs reports as required by policy. Additionally, the Commander and the Office Technician responsible for the time keeping has reviewed Highway Patrol Manuel (HPM) 22.1, Command Inspection Program Manuel and HPM 10.3, Personnel Transactions Manuel, Chapter 28, Attendance Reporting. It should be noted the Investigative Services Unit and the Special Operations Unit under the Special Services Command had all the necessary MARs reports which were signed by the respective Lieutenants of those units confirming the accounting as required by policy.

Golden Gate Division Page 2 October 26, 2009

Questions regarding this response may be directed to Lieutenant Lum via e-mail at rlum@chp.ca.gov or by telephone at (707) 648-4180.

C. A. OLIVER, Captain

Commander

cc: Office of the Assistant Commissioner, Field Golden Gate Division

## **COMMAND INSPECTION PROGRAM**F\*CEPTIONS DOCUMENT

Command:	Division:	Chapter:	
Special Svcs	Golden Gate	6	
Inspected by:	Date:		
Lt. C.M. Childs	12/1/09		

1 age 1 of 3

number of the inspection in the Chapter shall be routed to and its due date. This	Inspection docume	Check appropriate boxes as necessary, on number. Under "Forward to:" enter the ent shall be utilized to document innovative oction plans. A CHP 51 Memorandum may					
TYPE OF INSPECTION  Division Level Command Level		Total hours expended on the inspection:	☐ Corrective Action Plan Included ☐ Attachments Included				
Executive Office Level Follow-up Required:	Forwa	11.0 rd to:					
Poliow-up Required.  ☐ Yes ⊠ No	Due D	ate:					
Chapter Inspection:	15.9						
Inspector's Comments Regarding Innovative Practices:							
Command Suggestions for S	tatewic	de Improvement:					
Inspector's Findings:							

During the inspection, the following discrepancies were noted:

- Finding #1 (question #13, Command Overtime): 6 instances of CTO excess were noted, resulting in 17.93 hours paid at overtime rate
- Finding #2 (question #14, Command Overtime): 23 instances FLSA overages were noted, resulting in 196 hours paid at half time
- Finding #3 (question #17, Command Overtime): None of the MARs were signed during the prior 12 months

### **COMMAND INSPECTION PROGRAM**

Fx	CEPTIONS DOCUMENT	
1	20.2 of 3	

ŀ	ude	2	of	3	

Command:	Division:	Chapter:	
Special Svcs	Golden Gate	6	
Inspected by:	Date:		
Lt. C.M. Childs,	12/1/09		

Commander's Response:   Concur or   Do Not Concur (Do Not Concur shall document basis for response)
The Command has implemented a suspense system to address the Commanders signature on all MARs reports. Additionally, training will be provided to all supervisors and officers so as to alleviate FLSA overage payments, during the training CTO balances will be discussed and those employees at the current cap will be scheduled to utilize the appropriate hours. The CTO balances will be monitored and adjusted on a monthly basis so as to not exceed the cap.
Inspector's Comments: Shall address non concurrence by commander (e.g., findings revised, findings unchanged,
Description of Actions 201
Required Action
Corrective Action Plan/Timeline

# **COMMAND INSPECTION PROGRAM** FXCEPTIONS DOCUMENT

Command:	Division:	Chapter:
Special Svcs	Golden Gate	6
Inspected by:	Date:	
Lt. C.M. Childs.	12/1/09	

1 \_ge 3 of 3

Employee would like to discuss this report with	COMMANDER'S SIGNATURE	DATE
the reviewer. (See HPM 9.1, Chapter 8 for appeal procedures.)	Smull Of Fro	12-21-09.
	INSPECTOR'S SIGNATURE	DATE
1-	anustrala	12/21/09
Reviewer discussed this report with	REVIEWER'S SIGNATURE	DATE
employee Concur Do not concur	150	1-15-10

Page

STATE OF CALIFORNIA
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

## MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Command: Division: Special Svcs Golden Gate		Number:			
Evaluated by: Lt. C. M. Childs	Date: 12/1/09				
Assisted by: Sgt. M. Lehmai	Date: 12/1/09				

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.							
TYPE OF INSPECTION	Lead Inspe	ctor's Signatu	ire:				
│ ☑ Division Level ☐ Command Level			0				
☐ Executive Office Level ☐ Voluntary Self-Inspection	\ \(\( \( \) \)	huyl	ull				
Follow-up Required:	Command	er's Signature			Date:		
☐ Follow-up Inspection ☐ Yes ☐ No	100	mulle	M	Fran	12/1/09		
	1						
For applicable policy, refer to: GO 40.6							
If a "No" or "N/A" box is checked, the "Remarks" section	shall be ut	ilized for e	colanation				
If the commander became aware that another agency or organization is proposing or has submitted a grant application to a funding agency other than the Office of Traffic Safety (OTS) that appears to focus on traffic safety goals clearly within the jurisdiction of the Department, did the commander notify the appropriate assistant commissioner?	⊠ Yes	□ No	□ N/A	Remarks:			
2. Has OTS grant funding, through the Highway Safety Plan, been sought for traffic safety-related activities for the purpose of conducting inventories, need and engineering studies, system development or program implementations?	⊠ Yes	□ No	□ N/A	Remarks:			
3. Has the command sought grant funding to assist with the expenses associated with the priority programs identified by the National Highway Traffic Safety Administration?	⊠ Yes	□ No	□ N/A	Remarks:			
4. Has the commander ensured grant funds are not being reallocated to fund other programs or used for non-reimbursable overtime expenditures?	⊠ Yes	□No	□ N/A	Remarks:			
<ol><li>Are concept papers regarding grant funding submitted through channels to Grants Management Unit (GMU)?</li></ol>	⊠ Yes	□No	□ N/A	Remarks:			
6. Was GMU contacted to determine the current personnel billing rates used for grant projects when preparing concept paper budgets?	⊠ Yes	□No	□ N/A	Remarks:			

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

acceptance (of the work, goods, or services provided by the state on behalf of a local government agency as required by 23 Code of Federal Regulations Part 1250) being submitted to OTS for all grant projects coded as "for local benefit"?	⊠ Yes	□ No	□ N/A	Remarks:
8. Were all copies of the grant project agreements, revisions, and claim invoices signed by the Project Director, or designated alternate?	⊠ Yes	□ No	□ N/A	Remarks:
9. Were all inquiries or correspondence concerning the availability of grant funds or other contacts with grant funding agencies coordinated/processed through GMU?	⊠ Yes	□ No	□ N/A	Remarks:
10. Are all expenditures of grant funds approved by GMU prior to entering into any obligations, with the exception of personnel costs?	⊠ Yes	□ No	□ N/A	Remarks:
11. Are quarterly progress reports forwarded though channels to GMU in accordance with the instructions contained in the associated project MOU?	⊠ Yes	□No	□ N/A	Remarks:
12. Are all requirements of the grant agreement and MOU being met?		☐ No	□ N/A	Remarks:
13. Is a final project report being prepared in accordance with the funding agency and departmental requirements upon the termination of the grant project?	⊠ Yes	□No	□ N/A	Remarks:
14. Does every invoice associated with a grant funded project contain the project number and name?	⊠ Yes	□No	□ N/A	Remarks:
15. Are all purchases of grant-funded equipment acquired under an OTS grant exceeding a unit cost of \$5,000 being documented on an Equipment Report, Form OTS-25?	⊠ Yes	□No	□ N/A	Remarks:
16. Has grant funded equipment been inspected to ensure it is being utilized in accordance with the respective grant agreement?	⊠ Yes	☐ No	□ N/A	Remarks:
<ul> <li>17. Are applications for federal funds in accordance with Government Code Section 13326 including obtaining approval from the Department of Finance and/or the Governor's office prior to submission to the appropriate federal authority?</li> <li>This would include any of the following: <ul> <li>Applications for federal funds which are not included in the budget approved by the Governor.</li> <li>Applications for federal funds which exceed the amount specified in the budget</li> </ul> </li> </ul>	☐ Yes	□No	⊠ N/A	Remarks: GMU related question

## MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6

Command Grant Management

	18.	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□No	⊠ N/A	Remarks: GMU related question
		Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	□No	⊠ N/A	Remarks: GMU related question
		Are grant funds being used for their intended purpose?	⊠ Yes	☐ No	□ N/A	Remarks:
		Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks: GMU related question
	22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks: GMU related question
1	Questi	ons 23 through 26 pertain to the Grants Managemen	t Unit			
	23.	Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?	☐ Yes	□No	⊠ N/A	Remarks: GMU related question
	24.	Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive Assistants?	☐ Yes	□ No	⊠ N/A	Remarks: GMU related question
		Did GMU route copies of the Draft Grant Agreement using the CHP Form 60, Staff Summary Statement, to all commands with responsibility for or that have an interest in the project?	☐ Yes	□No	⊠ N/A	Remarks: GMU related question
	26.	Was a Memorandum of Understanding between involved commands outlining the responsibilities of each command prepared and distributed by GMU2	☐ Yes	□No	⊠ N/A	Remarks: GMU related question

Page

STATE OF CALIFORNIA DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

### MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

Command: Division: Special Svcs Golden Gate		Number:
Evaluated by:		Date:
Lt. C.M. Childs, #13867		12/1/09
Assisted by:		Date:
Sgt. M. Lehman, D. Silva		12/1/09

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected. Lead Inspector's Signature: TYPE OF INSPECTION Division Level ☐ Command Level ☐ Executive Office Level ☐ Voluntary Self-Inspection Date: Follow-up Required: Follow-up Inspection 12/1/09 Yes For applicable policies, refer to HPM 11.1, Chapter 6, HPM 40.71, Chapters 2, 8, and 10, HPM 10.5. Chapter 2, and HPM 10.3, Chapters 24 and 28. Note: If a "No" or "N/A" box is checked, the "Remarks" section shall be utilized for explanation. Is the hiring company/agency for reimbursable Remarks: overtime being held responsible for paving a X Yes □ No  $\square$  N/A minimum of four hours of overtime per CHP uniformed employee, regardless of length of service/detail? Is a minimum of four hours overtime being allocated Remarks: to each CHP uniformed employee(s) if cancellation □ No □ N/A notification is made 24 hours or less prior to the scheduled detail and the assigned CHP uniformed employee(s) cannot be notified of such cancellation? Are reimbursable special project codes being used Remarks: for all overtime associated with reimbursable special ⊠ Yes □ N/A □ No projects? 4. Is the commander ensuring nonuniformed personnel Remarks: overtime hours are not reflected on the Report of ☐ No ☐ N/A Overtime Hours for Reimbursable Special Projects? 5. Is the commander ensuring non-reimbursable Remarks: overtime is not being claimed for an employee, other ☐ No □ N/A than Bargaining Unit 7, while on vacation or compensated time off for hours worked during their regular work shift time? 6. Is "RDO" being written in the "Notes" section of the Remarks: CHP 415, Daly Field Record, for overtime worked on ⊠ Yes □No □ N/A a regular day off? Is there a CHP 90, Report of Court Appearance -Remarks:

☐ Yes

☐ No

□ N/A

Civil Action, completed for each officer or sergeant

when overtime is associated for civil court?

# MMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6 Command Overtime

8.	Do the CHP 415s with overtime indicate the employee's lunch period or indicate "None" if the employee worked through their lunch break?	⊠ Yes	□No	□ N/A	Remarks:
9.	Did the supervisor sign the CHP 415s approving the overtime?	⊠ Yes	□ No	□ N/A	Remarks:
	. Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	⊠ Yes	□No	□ N/A	Remarks:
	. If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	⊠ Yes	□No	⊤ □ N/A	Remarks:
12	Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	⊠ Yes	☐ No	□ N/A	Remarks:
13	Are employee's Compensated Time Off hours maintained within reasonable balances?	☐ Yes	⊠ No	□ N/A	Remarks: inspection revealed 6 instances resulting in 17.93 hours paid as overtime
	Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	⊠ No	□ N/A	Remarks: inspection revealed 23 instances resulting in 196 hours paid at half time
15	Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	⊠ Yes	□No	□ N/A	Remarks:
16	Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	⊠ Yes	□ No	□ N/A	Remarks:
17.	Are the MARs retained for at least three years and contain the commander's signature?	☐ Yes	□ No	□ N/A	Remarks: None of the MARs were signed by command staff for the prior

### Memorandum

Date:

December 28, 2009

To:

Golden Gate Division

From:

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

Golden Gate Communications Center

File No.:

318.14058

Subject:

COMMAND INSPECTION PROGRAM - CHAPTER 6

On December 11, 2009, Golden Gate Division inspected the Golden Gate Communications Center concerning "Command Grant Management," and "Command Overtime." The inspection team documented no discrepancies. I concur with their findings.

If you have any questions concerning this memorandum, please contact me directly at (707) 551-4181.

G. P. TRACEY, Captain

Commander

# **COMMAND INSPECTION PROGRAM** FXCEPTIONS DOCUMENT

Command:	Chapter:	
GGCC	Golden Gate	318
Inspected by:	Date:	
Lt. Leslie Lazo,	12/11//2009	

. age 1 of 2

INSTRUCTIONS: This document shall be typed. Check appropriate boxes as necessary, or fill in the blanks as indicated. Enter the chapter number of the inspection in the Chapter Inspection number. Under "Forward to:" enter the next level of command where the document shall be routed to and its due date. This document shall be utilized to document innovative practices, suggestions for statewide improvement, identified deficiencies, corrective action plans. A CHP 51 Memorandum may be used if additional space is required.					
TYPE OF INSPECTION  Division Level Command Level  Executive Office Level		Total hours expended inspection:  3 hours	d on the	☐ Corrective Action Plan Included ☐ Attachments Included	
Follow-up Required:	Forwa	rd to: GGD			
☐ Yes	Due D	ate: 12/30/2009			
Chapter Inspection:		The second second			
Inspector's Comments Regar	ding Ir	novative Practices			
The Golden Gate Division Communications Center has adopted a proactive approach to maintaining compliance to the Command Inspection Program. The Command has designated a manager to oversee ues related to inspections. Additionally, this manger conducts unannounced inspections weekly and provides the results to the Commander. Any discrepancies are mitigated immediately to avoid long term repercussions.					
Command Suggestions for St	atewio	e Improvement:			
None					
Inspector's Findings:					
No discrepancies					
Commander's Response:	Concu	r or □ Do Not Con	cur (Do Not Conc	ur shall document basis for response)	
			,		

### **COMMAND INSPECTION PROGRAM**

	714
FXCEPTIONS DOCUMENT	

. age 2 of 2				 	• •
	رد	ne 2	of 2		

Command: GGCC	Division: Golden Gate	Chapter: 318
Inspected by: Lt. Leslie Lazo, #10424		Date: 12/11//2009

Inspector's Comments:	Shall address non concurrence by commander (e.g., findings revised, findings unchanged,
etc )	

The Commander and his staff were very open to this inspection and provided all the required paperwork needed to conduct an accurate inspection. The friendly and professional reception the team received allowed for a smooth and efficient evaluation. The Command's proactive efforts were key to the flawless outcome of this inspection.

None

Employee would like to discuss this report with	COMMANDER'S SIGNATURE	DATE
the reviewer.	BOTT WILLIAM	12-11-09
(See HPM 9.1, Chapter 8 for appeal procedures.)	Cocy MACKY	10 11 01
( )	INSPECTOR SIGNATURE	DATE
	John So	12-11-09
Reviewer discussed this report with	REVIEWER'S SIGNATURE	DATE
employee	10/21	/ /
Concur Do not concur	15/40X/	12/10/2010

# DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Command:	Number:	
GGCC Golden Gate		318
Evaluated by:	Date:	
Lt. Leslie Lazo,	12/11//2009	
Assisted by:	Date:	
SSA Jeri Tilson,	12/11//2009	

applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected.							
TYPE OF INSPECTION	Lead Inspe	ector's Signati	ure:				
☑ Division Level ☐ Command Level							
☐ Executive Office Level ☐ Voluntary Self-Inspection	00	Odes,	di				
Follow-up Required:	Commander's Signature: Date:			Date:			
☐ Follow-up Inspection☐ Yes ☐ No	12/11/12		12/11//2009				
		V					
For applicable policy, refer to: GO 40.6							
te: If a "No" or "N/A" box is checked, the "Remarks" section	shall be u	tilized for e	xplanation				
<ol> <li>If the commander became aware that another agency or organization is proposing or has submitted</li> </ol>	☐ Yes	□No	⊠ N/A	Remarks:			
a grant application to a funding agency other than the Office of Traffic Safety (OTS) that appears to focus							
on traffic safety goals clearly within the jurisdiction of							
the Department, did the commander notify the appropriate assistant commissioner?							
2. Has OTS grant funding, through the Highway Safety							
Plan, been sought for traffic safety-related activities	☐ Yes	☐ No	N/A ⊠	Remarks:			
for the purpose of conducting inventories, need and engineering studies, system development or program							
implementations?							
3. Has the command sought grant funding to assist with	Пу	<b>—</b>	N/ N//A	Б.,			
the expenses associated with the priority programs identified by the National Highway Traffic Safety	☐ Yes	☐ No	N/A □	Remarks:			
Administration?							
Has the commander ensured grant funds are not being reallocated to fund other programs or used for	⊠ Yes	□No	□ N/A	Remarks:			
non-reimbursable overtime expenditures?	□ 162		LINA	Remarks.			
5. Are concept papers regarding grant funding			54				
submitted through channels to Grants Management Unit (GMU)?	☐ Yes	☐ No	⊠ N/A	Remarks:			
Was GMU contacted to determine the current							
personnel billing rates used for grant projects when preparing concept paper budgets?	│	☐ No	⊠ N/A	Remarks:			
F. FF M. G GOTTOOPT Parties Budgeto:			1				

## **DMMAND INSPECTION PROGRAM**INSPECTION CHECKLIST

Chapter 6

Command Grant Management

accep by the as req 1250)	porting documentation of consent and stance (of the work, goods, or services provided a state on behalf of a local government agency quired by 23 Code of Federal Regulations Part being submitted to OTS for all grant projects as "for local benefit"?	☐ Yes	□No	⊠ N/A	Remarks:
revisio Direct	all copies of the grant project agreements, ons, and claim invoices signed by the Project or, or designated alternate?	☐ Yes	☐ No	⊠ N/A	Remarks:
availa fundin GMU?		⊠ Yes	□ No	□ N/A	Remarks:
prior to excep	I expenditures of grant funds approved by GMU o entering into any obligations, with the tion of personnel costs?	☐ Yes	□No	⊠ N/A	Remarks:
chann contai	parterly progress reports forwarded though els to GMU in accordance with the instructions ned in the associated project MOU?	⊠ Yes	□No	□ N/A	Remarks:
MOU I	requirements of the grant agreement and being met?	⊠ Yes	☐ No	□ N/A	Remarks:
with th	nal project report being prepared in accordance the funding agency and departmental termination of the grant to the grant to the grant the termination of the grant th	☐ Yes	☐ No	⊠ N/A	Remarks:
	every invoice associated with a grant funded t contain the project number and name?	⊠ Yes	☐ No	□ N/A	Remarks:
acquire of \$5,0	purchases of grant-funded equipment ed under an OTS grant exceeding a unit cost 000 being documented on an Equipment t, Form OTS-25?	☐ Yes	□ No	⊠ N/A	Remarks:
ensure respec	rant funded equipment been inspected to e it is being utilized in accordance with the etive grant agreement?	☐ Yes	□ No	⊠ N/A	Remarks:
Goverr approv Goverr approp	plications for federal funds in accordance with nament Code Section 13326 including obtaining val from the Department of Finance and/or the nor's office prior to submission to the oriate federal authority? ould include any of the following:  Applications for federal funds which are not included in the budget approved by the Governor.  Applications for federal funds which exceed the amount specified in the budget.	☐ Yes	□No	⊠ N/A	Remarks:

### **JMMAND INSPECTION PROGRAM INSPECTION CHECKLIST**

Chapter 6

Command Grant Management

18.	Is a federal Standard Form 424, Application for Federal Assistance, filed with the State Clearinghouse for all approved unbudgeted grant requests received by the Department of Finance?	☐ Yes	□No	⊠ N/A	Remarks:
19.	Has any request for unanticipated federal funds met the criteria for legislative notification set forth in Control Section 28.00 of the annual Budget Act?	☐ Yes	□No	⊠ N/A	Remarks:
20.	Are grant funds being used for their intended purpose?	⊠ Yes	□ No	□ N/A	Remarks:
	Are grant applications related to the Motor Carrier Safety Assistance Program (MCSAP) being routed through the Commercial Vehicle Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks:
22.	Are grant applications related to the Homeland Security Grant Program being routed through the Emergency Operations Section before they are submitted to the funding agency?	☐ Yes	□No	⊠ N/A	Remarks:
Questi	ons 23 through 26 pertain to the Grants Managemen	t Unit			
23.	Has GMU prepared an annual Management Memorandum to be disseminated to all commanders soliciting participation in the Department's Highway Safety Program?	☐ Yes	□No	⊠ N/A	Remarks:
24.	Did GMU send the concept paper as an attachment to a memorandum through the Planning and Analysis Division to Assistant Commissioner, Field, and Assistant Commissioner, Staff, and their Executive Assistants?	☐ Yes	□ No	⊠ N/A	Remarks:
	Did GMU route copies of the Draft Grant Agreement using the CHP Form 60, Staff Summary Statement, to all commands with responsibility for or that have an interest in the project?	☐ Yes	□No	⊠ N/A	Remarks:
26.	Was a Memorandum of Understanding between involved commands outlining the responsibilities of each command prepared and distributed by GML2	☐ Yes	□No	⊠ N/A	Remarks:

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STATE OF CALIFORNIA
"PARTMENT OF CALIFORNIA HIGHWAY PATROL

## DMMAND INSPECTION PROGRAM INSPECTION CHECKLIST

Chapter 6
Command Overtime

Command:	Division:	Number:
GGCC	Golden Gate	318
Evaluated by:	Date:	
Lt. Leslie Lazo, #10424		12/11/2009
Assisted by:		Date:
SSA Jeri Tilson, #A11856		12/11/2009

INSTRUCTIONS: Answer individual items with "Yes" or "No" answers, or fill in the blanks as indicated. Any discrepancies with policy, applicable legal statues, or deficiencies noted in the inspections shall be commented on via the "Remarks" section. Additionally, such discrepancies and/or deficiencies shall be documented on an Exceptions Document and addressed to the next level of command. Furthermore, the Exceptions Document shall include any follow-up and/or corrective action(s) taken. If this form is used as a Follow-up Inspection, the "Follow-up Inspection" box shall be marked and only deficient items need to be re-inspected. Lead Inspector's Signature: TYPE OF INSPECTION ☑ Division Level ☐ Command Level ☐ Executive Office Level ☐ Voluntary Self-Inspection Date: Commander's Signature: Follow-up Required: ☐ Follow-up Inspection 12/11/2009 Yes ⋈ No For applicable policies, refer to HPM 11.1, Chapter 6, HPM 40.71, Chapters 2, 8, and 10, HPM 10.5, Chapter 2, and HPM 10.3, Chapters 24 and 28. Note: If a "No" or "N/A" box is checked, the "Remarks" section shall be utilized for explanation. 1. Is the hiring company/agency for reimbursable Remarks: overtime being held responsible for paying a ☐ Yes ⊠ N/A □No minimum of four hours of overtime per CHP uniformed employee, regardless of length of service/detail? 2. Is a minimum of four hours overtime being allocated Remarks: to each CHP uniformed employee(s) if cancellation ☐ Yes ☐ No ⊠ N/A notification is made 24 hours or less prior to the scheduled detail and the assigned CHP uniformed employee(s) cannot be notified of such cancellation? Are reimbursable special project codes being used Remarks: for all overtime associated with reimbursable special ☐ N/A ☐ No projects? 4. Is the commander ensuring nonuniformed personnel Remarks: overtime hours are not reflected on the Report of ☐ Yes □ No ⊠ N/A Overtime Hours for Reimbursable Special Projects? Is the commander ensuring non-reimbursable Remarks: overtime is not being claimed for an employee, other ☐ Yes ⊠ N/A □No than Bargaining Unit 7, while on vacation or compensated time off for hours worked during their regular work shift time? Is "RDO" being written in the "Notes" section of the Remarks: CHP 415, Daly Field Record, for overtime worked on ☐ Yes ☐ No ⊠ N/A a regular day off? 7. Is there a CHP 90, Report of Court Appearance -Remarks: Civil Action, completed for each officer or sergeant ☐ Yes □No ⊠ N/A when overtime is associated for civil court?

## **JMMAND INSPECTION PROGRAM**INSPECTION CHECKLIST

Chapter 6 Command Overtime

8.	employee's lunch period or indicate "None" if the employee worked through their lunch break?	☐ Yes	□No	⊠ N/A	Remarks:
9.	Did the supervisor sign the CHP 415s approving the overtime?	☐ Yes	□No	⊠ N/A	Remarks:
	Are claimed overtime meals related to overtime worked within 50 miles of the employee's headquarters?	⊠ Yes	□ No	□ N/A	Remarks:
	If overtime is incurred by a peer support counselor, is the name of the employee to whom support was provided excluded from the CHP 415 of the counselor?	☐ Yes	□No	⊠ N/A	Remarks:
	Is the "Notes" section on side two of the CHP 415 used to explain any overtime listed on side one of the CHP 415?	☐ Yes	□ No	⊠ N/A	Remarks:
13.	Are employee's Compensated Time Off hours maintained within reasonable balances?	⊠ Yes	□ No	□ N/A	Remarks:
14.	Is the commander ensuring employees are not incurring overtime due to working over the allotted number of hours for any given Fair Labor Standards Act (FLSA) period?	☐ Yes	□No	⊠ N/A	Remarks:
	Is the commander ensuring uniformed employees are not working voluntary overtime which results in them working more than 16.5 hours in a 24 hour period?	☐ Yes	□No	⊠ N/A	Remarks:
16.	Do the CHP 415 total overtime hours agree with the Monthly Attendance Report (MAR)?	☐ Yes	☐ No	⊠ N/A	Remarks:
17.	Are the MARs retained for at least three years and contain the commander's signature?	☐ Yes	□ No	⊠ N/A	Remarks: